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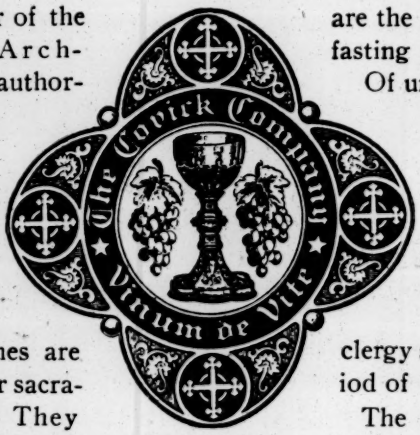

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ENCYCLICAL LETTER OF HIS HOLINESS POPE PIUS XI ON CHRISTIAN MARRIAGE

In View of the Present Conditions, Needs, Errors and Vices, that Affect the Family and Society

POPE PIUS XI

TO OUR VENERABLE BROTHERS, THE PATRIARCHS, PRIMATES, ARCHBISHOPS, BISHOPS AND OTHER LOCAL ORDINARIES, ENJOYING PEACE AND COMMUNION WITH THE APOSTOLIC SEE

Venerable Brethren and Beloved Children, Health and Apostolic Benediction.

How great is the dignity of chaste wedlock, Venerable Brethren, may be judged best from this that Christ our Lord, Son of the Eternal Father, having assumed the nature of fallen man, not only with His loving desire of compassing the redemption of our race, ordained it in an especial manner as the principle and foundation of domestic society and therefore of all human intercourse, but also raised it to the rank of a truly "great" Sacrament of the New Law, restored it to the original purity of its divine institution, and accordingly entrusted all its discipline and care to His Spouse the Church.

In order, however, that amongst men of every nation and every age the desired fruits may be obtained from this renewal of matrimony, it is necessary first of all that men's minds be illuminated with the true doctrine of Christ regarding it; and secondly, that Christian spouses, the weakness of their wills strengthened by the internal grace of God, shape all their ways of thinking and of acting in conformity with that pure law of Christ so as to obtain true peace and happiness for themselves and for their families.

Yet not only do we, looking with paternal eye on the universal world from this Apostolic See as from a watch-tower, but you, also, Venerable Brethren, see, and seeing deeply grieve with us, that a great number of men, forgetful of that divine work of Redemption, either entirely ignore or shamelessly deny the great sanctity of Christian wedlock, or even, relying on the false principles of a new and utterly perverse morality, too often trample it under foot. And since these most pernicious errors and depraved morals have begun to spread even amongst the faithful and are gradually gaining ground, in our office as Christ's Vicar upon earth and Supreme Shepherd and Teacher we consider it our duty to raise our voice to keep the flock committed to our care from poisoned pastures and, as far as in us lies, to preserve it from harm.

We have decided, therefore, to speak to you, Venerable Brethren, and through you to the whole Church of Christ and indeed the whole human race, on the nature and dignity of Christian marriage, on the advantages and benefits which accrue from it to the family and to human society itself, on the errors contrary to this most important point of the Gospel teaching, on the vices opposed to conjugal union, and lastly on the principal remedies to be applied. In so doing we follow the footsteps of our predecessor, Leo XIII, of happy memory, whose encyclical *Arcanum*, published fifty years ago, we hereby confirm and make our own, and while we wish to expound more fully certain points called for by the circumstances of our times, nevertheless we declare that, far from being obsolete, it retains its full force at the present day.

1. Nature and Dignity of Marriage

And to begin with that very encyclical, which is wholly concerned in vindicating the divine institution of matrimony, its sacramental dignity, and its perpetual stability, let it be repeated as an immutable and inviolable fundamental doctrine that matrimony was not instituted or restored by man but by God; not by man were the laws made to strengthen and confirm and elevate it but by God, the Author of Nature, and by Christ our Lord by whom nature was redeemed, and hence these laws cannot be subject to any human decrees or to any contrary pact even of the spouses themselves. This is the doctrine of Holy Scripture, this is the constant tradition of the Universal Church, this is the solemn definition of the sacred Council of Trent, which declares and establishes from the words of Holy Writ itself that God is the author of the perpetual stability of the marriage bond, its unity and its firmness.

Yet although matrimony is of its very nature of divine institution, the human will too enters into it and performs a most noble part.

For each individual marriage, inasmuch as it is a conjugal union of a particular man and woman, arises only from the free consent of each of the spouses; and this free act of the will, by which each party hands over and accepts those rights proper to the state of marriage, is so necessary to constitute true marriage that it cannot be supplied by any human power.[1]

This freedom, however, regards only the point whether the contracting parties really wish to enter upon matrimony or to marry this particular person; but the nature of matrimony is entirely independent of the free will of man, so that if one has once contracted matrimony he is thereby subject to its divinely made laws and its essential properties. For the Angelic Doctor, writing on conjugal honor and on the offspring which is the fruit of marriage, says: "These things are so contained in matrimony by the very marriage pact that if anything to the contrary were expressed in the consent which makes the marriage, it would not be a true marriage."

By matrimony, therefore, the souls of the contracting parties are joined and knit together more directly and more intimately than are their bodies, and that not by any passing affection of sense or spirit, but by a deliberate and firm act of the will; and from this union of souls by God's decree, a sacred and inviolable bond arises. Hence the nature of this contract, which is proper and peculiar to it alone, makes it entirely different both from the union of animals entered into by the blind instinct of nature alone in which neither reason nor free will plays a part, and also from the haphazard unions of men which are far removed from all true and honorable conjunctions of wills and enjoy none of the rights of family life.

From this it is clear that legitimately constituted authority has the right and therefore the duty to restrict, to prevent, and to punish those base unions which are opposed to reason and to nature; but since it is a matter which flows from human nature itself, no less certain is the teaching of our predecessor, Leo XIII, of happy memory: "In choosing a state of life there is no doubt but that it is in the power and discretion of each one to prefer one or the other: either to embrace the counsel of virginity given by Jesus Christ, or to bind himself in the bonds of matrimony; to take away from man the natural and primeval right of marriage, to circumscribe in any way the principal ends of marriage laid down in the beginning by God Himself in the words 'Increase and multiply,' is beyond the power of any human law."

Therefore, the sacred partnership of true marriage is constituted both by the will of God and the will of man: from God comes the very institution of marriage, the ends for which it was instituted, the

[1] C. J. C., 1081, § 1.

laws that govern it, the blessings that flow from it, while man, through generous surrender of his own person one to another for the whole span of life, becomes, with the help and coöperation of God, the author of each particular marriage, with the duties and blessings annexed thereto from divine institution.

2. Blessings attached to Matrimony

Now when we come to explain, Venerable Brethren, what are the blessings that God has attached to true matrimony, and how great they are, there occur to us the words of that illustrious Doctor of the Church whom we commemorated recently in our Encyclical *Ad salutem* on the occasion of the fifteenth centenary of his death. "These," says St. Augustine, "are all the blessings of matrimony on account of which matrimony itself is a blessing—offspring, conjugal faith, and the Sacrament." And how under these three heads is contained a splendid summary of the whole doctrine of Christian marriage, the holy Doctor himself expressly declares when he says: "By mutual loyalty it is provided that there should be no carnal intercourse outside the marriage bond with another man or woman; with regard to offspring that children should be begotten of love, tenderly cared for and educated in a religious atmosphere; finally, in its sacramental aspect, that the marriage bond should not be broken and that a husband or wife, if separated, should not be joined to another even for the sake of offspring. This we regard as the law of marriage by which the fruitfulness of nature is adorned and the evil of incontinence is restrained."

Thus amongst the blessings of marriage, the child holds the first place, and indeed the Creator of the human race Himself, who in His goodness wished to use men as His helpers in the propagation of life, taught this when, instituting marriage in Paradise, He said to our first parents, and through them to all future spouses, "Increase and multiply, and fill the earth," as St. Augustine admirably deduces from the words of the holy Apostle St. Paul to Timothy when he says, "The Apostle himself is therefore a witness that marriage is for the sake of generation. 'I wish,' he says, 'young girls to marry.' And, as if someone said to him, 'Why?' he immediately adds 'to beget children, to be mothers of families'."

How great a boon of God this is, and what a blessing of matrimony, is clear from a consideration of man's dignity and of his sublime end, for man surpasses all other visible creatures by the superiority of his rational nature alone. Besides, God wishes men to be born not only that they should live and fill the earth, but much more that they may be worshipers of God, that they may know Him and love Him and finally enjoy Him forever in heaven; and this

end, by reason of man being raised by God in a marvellous way to the supernatural order, surpasses all that eye hath seen, and ear heard, and all that hath entered into the heart of man; from which it is easily seen how great a gift of divine goodness and how remarkable a fruit of marriage are children born by the omnipotent power of God through the coöperation of those bound in wedlock.

But Christian parents must also understand that they are destined not only to propagate and preserve the human race on earth, indeed not only to educate any kind of worshipers of the true God, but children who are to become members of the Church of Christ, to raise up fellow-citizens of the saints, and members of God's household, that the worshipers of God and our Saviour may daily increase.

For although Christian spouses, even if sanctified themselves, cannot transmit sanctification to their progeny, nay, although the very natural process of generating life has become the way of death by which original sin is passed on to posterity, nevertheless, they share to some extent in the blessings of that primeval marriage of Paradise, since it is theirs to offer their offspring to the Church in order that by this most fruitful mother of the children of God they may be regenerated through the laver of Baptism unto supernatural justice and finally be made living members of Christ, partakers of immortal life, and heirs of that eternal glory to which we all aspire from our inmost heart.

Children Committed to Parents' Charge.

If a true Christian mother weighs well these things, she will indeed understand with a sense of deep consolation that of her the words of our Saviour were spoken: "A woman . . . when she hath brought forth the child remembereth no more the anguish, for joy that a man is born into the world." And proving herself superior to all the pains and cares and solicitudes of her maternal office with a more just and holy joy than that of the Roman matron, the mother of the Gracchi, she will rejoice in the Lord, crowned as it were with the glory of her offspring. Both husband and wife, however, receiving these children with joy and gratitude from the hand of God, will regard them as a talent committed to their charge by God, not only to be employed for their own advantage or for that of an earthly commonwealth, but to be restored to God with interest on the day of reckoning.

The blessing of offspring, however, is not completed by the mere begetting of them, but something else must be added, namely, the proper education of the offspring. For the most wise God would have failed to make sufficient provision for children that had been born, and so for the whole human race, if He had not given to those

to whom He had entrusted the power and right to beget them, the power also and the right to educate them. For no one can fail to see that children are incapable of providing wholly for themselves, even in matters pertaining to their natural life, and much less in those pertaining to the supernatural, but require for many years to be helped, instructed, and educated by others.

Now it is certain that both by the law of nature and of God this right and duty of educating their offspring belong in the first place to those who began the work of nature by giving them birth, and they are indeed forbidden to leave unfinished this work and so expose it to certain ruin. But in matrimony provision has been made in the best possible way for this education of children that is so necessary, for, since the parents are bound together by an indissoluble bond, the care and mutual help of each is always at hand.

Since, however, we have spoken fully elsewhere on the Christian education of youth, let us sum it all up by quoting once more the words of St. Augustine: "In the offspring it is provided that they should be begotten lovingly and educated religiously." And this is also expressed succinctly in the Code of Canon Law: "The primary end of marriage is the procreating and the education of children." Nor must we omit to remark, in fine, that since the duty entrusted to parents for the good of their children is of such high dignity and of such great importance, every use of the faculty given by God for the procreation of new life is the right and the privilege of the marriage state alone, by the law of God and of nature, and must be confined absolutely within the sacred limits of that state.

Blessing of Conjugal Honor.

The second blessing of matrimony which we said was mentioned by St. Augustine, is the blessing of conjugal honor which consists in the mutual fidelity of the spouses in fulfilling the marriage contract, so that what belongs to one of the parties by reason of this contract sanctioned by divine law, may not be denied to him or permitted to any third person, nor may there be conceded to one of the parties that which, being contrary to the rights and laws of God and entirely opposed to matrimonial faith, can never be conceded.

Wherefore, conjugal faith, or honor, demands in the first place the complete unity of matrimony which the Creator Himself laid down in the beginning when He wished it to be not otherwise than between one man and one woman. And although afterward this primeval law was relaxed to some extent by God, the Supreme Legislator, there is no doubt that the law of the Gospel fully restored that original and perfect unity, and abrogated all dispensations, as the words of Christ and the constant teaching and action of the Church show plainly.

With reason, therefore, does the sacred Council of Trent solemnly declare: "Christ our Lord very clearly taught that in this bond two persons only are to be united and joined together when He said: 'Therefore they are no longer two but one flesh.'" Nor did Christ our Lord wish only to condemn any form of polygamy or polyandry, as they are called, whether successive or simultaneous, and every other external dishonorable act, but, in order that the sacred bonds of marriage may be guarded absolutely inviolate, He forbade also even wilful thoughts and desires of such like things: "But I say to you, that whosoever shall look on a woman to lust after her hath already committed adultery with her in his heart;" which words of Christ our Lord cannot be annulled even by the consent of one of the partners of marriage, for they express a law of God and of nature which no will of man can break or bend.

Nay, that mutual familiar intercourse between the spouses themselves, if the blessing of conjugal faith is to shine with becoming splendor, must be distinguished by chastity in such wise that husband and wife must bear themselves in all things with the law of God and of nature, and endeavor always to follow the will of their Most Wise and Holy Creator with the greatest reverence toward the work of God.

This conjugal faith, however, which is most aptly called by St. Augustine the "faith of chastity," blooms more freely, the more beautifully and more nobly, when it is rooted in that more excellent soil, the love of husband and wife which pervades all the duties of married life and holds pride of place in Christian marriage. For matrimonial faith demands that husband and wife be joined in an especially holy and pure love, not as adulterers love each other, but as Christ loved the Church. This precept the Apostle laid down when he said: "Husbands, love your wives as Christ also loved the Church," which of a truth He embraced with a boundless love, not for the sake of His own advantage, but seeking only the good of His Spouse.

The love, then, of which we are speaking is not that based on the passing lust of the moment, nor does it consist in pleasing words only, but in the deep attachment of the heart which is expressed in action, since love is proved by deeds. This outward expression of love in the home not only demands mutual help but must go further, indeed must have its primary purpose that man and wife help each other day by day in forming and perfecting themselves in the interior life; so that through their partnership in life they may advance ever more and more in virtue, and above all that they may grow in true love toward God and their neighbor on which indeed "dependeth the whole law and the prophets." For all men of every condition

and in whatever honorable walk of life they may be, can and ought to imitate that most perfect example of holiness, placed before man by God, namely, Christ our Lord, and by God's grace arrive at the summit of perfection, as is proved by the example of many saints.

By this same love it is necessary that all the other rights and duties of the marriage state be regulated so that the words of the Apostle, "Let the husband render the debt to the wife, and the wife also in like manner to the husband," express not only a law of justice but a norm of charity.

Mutuality of Husband and Wife.

Domestic charity being confirmed therefore by this bond of love, it is necessary that there should flourish in it that "order of love," as St. Augustine calls it. This order includes both the primacy of the husband with regard to the wife and children, and the ready subjection of the wife and her willing obedience, which the Apostle commends in these words: "Let women be subject to their husbands as to the Lord, because the husband is the head of the wife, as Christ is the head of the Church."

This subjection, however, does not deny or take away the liberty which fully belongs to the woman both in view of her dignity as a human person, and in view of her most noble office as wife and mother and companion; nor does it bid her obey her husband's every request even if not in harmony with right reason or with the dignity due to wife; nor, in fine, does it imply that the wife should be put on a level with those persons who in law are called minors, to whom it is not customary to allow free exercise of their rights on account of their lack of mature judgment, or their ignorance of human affairs. But it forbids that exaggerated license which cares not for the good of the family; it forbids that in this body which is the family, the heart be separated from the head to the great detriment of the whole body and the proximate danger of ruin. For if the man is the head, the woman is the heart, and as he occupies the chief place in ruling, so she may and ought to claim for herself the chief place in love.

Again, this subjection of wife to husband in its degree and manner may vary according to the different conditions of persons, place and time; in fact, if the husband neglect his duty, it falls to the wife to take his place in directing the family. But the structure of the family and its fundamental law, established and confirmed by God, must always and everywhere be maintained intact.

With great wisdom our predecessor Leo XIII, of happy memory, in the encyclical which we have already mentioned on Christian marriage, teaches with regard to this order to be maintained between

man and wife: "The man is the ruler of the family, and the head of the woman, but because she is flesh of his flesh and bone of his bone, let her be subject and obedient to the man not as a servant but as a companion, so that nothing be lacking of honor or of dignity in the obedience which she pays. Both in him who rules and in her who obeys, since each bears the image, the one of Christ, the other of the Church, let divine charity be the constant guide of their mutual relations."

These, then, are the elements which compose the blessing of conjugal faith, unity, chastity, honorable, noble obedience, which are at the same time an enumeration of the benefits which are bestowed on husband and wife in their married state, benefits by which the peace, the dignity and the happiness of matrimony are securely preserved and fostered. Wherefore it is not surprising that this conjugal faith has always been counted amongst the most priceless and special blessings of matrimony.

Matrimony—The Sacrament.

But this accumulation of benefits is completed and, as it were, crowned by that blessing of Christian marriage which, in the words of St. Augustine, we have called the Sacrament, by which is denoted both the indissolubility of the bond and the raising and hallowing of the contract by Christ Himself whereby He made it an efficacious sign of grace.

In the first place, Christ Himself lays stress on the indissolubility and firmness of the marriage bond when He says: "What God hath joined together let no man put asunder," and, "Everyone that putteth away his wife and marrieth another committeth adultery, and he that marrieth her that is put away from her husband committeth adultery." And St. Augustine clearly places what he calls the blessing of matrimony in this indissolubility when he says: "In the Sacrament it is provided that the marriage bond should not be broken, and that a husband or wife, if separated, should not be joined to another even for the sake of offspring." And this inviolable stability, although not in the same perfect measure in every case, belongs to every true marriage, for the word of the Lord, "What God hath joined together let no man put asunder," since it was spoken of the marriage of our first parents, the prototype of every future marriage, must of necessity include all true marriages without exception.

Therefore, although before Christ the sublimeness and the severity of the primeval law were so tempered that Moses permitted it to the chosen people of God on account of the hardness of their hearts that a bill of divorce might be given in certain circumstances, nevertheless, Christ, by virtue of His supreme legislative power, recalled this

concession of greater liberty and restored the primeval law in its integrity by those words which must never be forgotten, "What God hath joined together let no man put asunder." Wherefore, our predecessor Pius VI, of happy memory, most wisely said, writing to the Bishop of Agria: "Hence it clearly appears that marriage even in the state of nature and certainly long before it was raised to the dignity of a Sacrament was divinely instituted in such a way that it should carry with it a perpetual and indissoluble bond which cannot therefore be dissolved by any civil law.

"Therefore, although the sacramental element may be absent from a marriage, as is the case among unbelievers, still in such a marriage, inasmuch as it is a true marriage, there must remain and indeed there does remain that perpetual bond which by divine right is so bound up with matrimony from its first institution that it is not subject to any civil power. And so, whatever marriage is said to be contracted, either it is so contracted that it is really a true marriage, in which case it carries with it that enduring bond which by divine right is inherent in every true marriage, or it is thought to be contracted without that perpetual bond, and in that case there is no marriage, but an illicit union, opposed of its very nature to the divine law, which therefore cannot be entered into or maintained."

And if this stability seems to be open to exception, however rare the exception may be, as in the case of certain natural marriages between unbelievers, or if amongst Christians in the case of those marriages which though valid had not been consummated, that exception does not depend on the will of men nor on that of any merely human power, but on divine law, of which the only guardian and interpreter is the Church of Christ. However, not even this power can ever affect for any cause whatsoever a Christian marriage which is valid and has been consummated, for as it is plain that here the marriage contract has its full completion, so, by the will of God, there is also the greatest firmness and indissolubility, which may not be destroyed by any human authority.

If we wish with all reverence to inquire into the intimate reason of this divine decree, Venerable Brethren, we shall easily see it in the mystical signification of Christian marriage, which is fully and perfectly verified in consummated marriage between Christians; for, as the Apostle says in his Epistle, *Quum ab initio innuimus*, to the Ephesians, the marriage of Christians recalls that most perfect union which exists between Christ and the Church: "*sacramentum hoc magnum est, ego autem dico, in Christo et in ecclesia*," which union as long as Christ shall live and the Church through Him, can never be dissolved by any separation. And this St. Augustine clearly declares in these words: "This is safeguarded in Christ and the Church,

that dwelling with living spouse he shall never be separated by divorce. The observance of this Sacrament is such in the City of God, that is, in the Church of Christ, that when for the sake of begetting children, either women marry or are taken to wife, it is wrong to leave a spouse that is sterile in order to take another by whom children may be had. Anyone doing this is guilty of adultery, just the same as if marrying another, not by the law of the day, according to which, when one's partner is put away another is allowed to be taken, which the Lord let Moses permit also because of the hardness of hearts of the people of Israel, but by the law of the Gospel." [2]

Indeed, how many and how important are the benefits which flow from the indissolubility of matrimony cannot escape anyone who gives even a brief consideration either to the good of the spouses and the offspring or to the welfare of human society. First of all, the spouses possess a positive guarantee of the enduringness of this stability which that generous yielding of their persons and the intimate fellowship of their hearts by their nature strongly require, since true love never falls away.[3] Besides, a strong bulwark is set up in defence of a loyal chastity against incitements to infidelity, should any be encountered either from within or from without; any anxious fear, lest in adversity or old age the other spouse would prove unfaithful, is precluded and in its place their reigns a calm sense of security.

Moreover, the dignity of both man and wife is maintained and mutual aid is most satisfactorily assured, while through the indissoluble bond, always enduring, the spouses are warned continuously that not for the sake of perishable things nor that they might serve their passions, but that they might procure one for the other high and lasting good, have they entered into the nuptial partnership, to be dissolved only by death. For the training and education of children, which must extend over a period of many years, it is splendidly adapted, since the grave and long-enduring burdens of this office are best borne by the united efforts of the parents. Nor do lesser benefits accrue to human society as a whole, for experience has taught that unassailable stability in matrimony is a fruitful source of virtuous life and of habits of integrity. Where this order of things obtains, the happiness and well-being of the nation is safely guarded. As the families and individuals are, so also is the state, for a body is determined by its parts. Wherefore, both for the private good of husband, wife and children, as likewise for the public good they indeed deserve well who generously defend the inviolable stability of matrimony.

[2] St. Aug., de Nupt. et Concup., Lib. I, cap. 9.

[3] I Cor. 13:8.

But considering the benefits of the Sacrament, besides the firmness and indissolubility, there are also much higher benefits, as the word "Sacrament" itself very aptly indicates; for to Christians this is not a meaningless and empty name. Christ the Lord, the Institutor and "Perfecter" of the holy Sacraments, by raising the matrimony of His faithful to the dignity of a true Sacrament of the New Law, made it a sign and source of that peculiar internal grace by which "it perfects natural love, confirms an indissoluble union, and sanctifies both man and wife."[4] And since the valid matrimonial consent among the faithful was constituted by Christ as a sign of grace, the sacramental nature is so intimately bound up with Christian wedlock that there can be no true marriage between baptized persons "without it being by that very fact a Sacrament."[5]

By the very fact, therefore, that the faithful with sincere mind give such consent, they open up for themselves a treasure of sacramental grace from which they draw supernatural power, for the fulfilling of their rights and duties faithfully, holily, perseveringly even unto death. Hence this Sacrament not only increases sanctifying grace, the permanent principle of the supernatural life in those who, as the expression is, place no obstacle (*obex*) in its way, but also adds particular gifts, dispositions, seeds of grace, by elevating and perfecting the natural powers in such a way that the parties are assisted not only in understanding but in knowing intimately, in adhering to firmly, in willing effectively, and in successfully putting into practice those things which pertain to the marriage state, its aims and duties, giving them, in fine, the right to the actual assistance of grace, whensoever they need it for fulfilling the duties of their state.

Nevertheless, since it is a law of Divine Providence in the supernatural order that men do not reap the full fruit of the Sacraments which they receive after acquiring the use of reason unless they cooperate with grace, the grace of matrimony will remain for the most part an unused talent hidden in the field unless the spouses exercise these supernatural powers and cultivate and develop the seeds of grace they have received. If, however, doing all that lies within their power, they coöperate diligently, they will be able with ease to bear the burdens of their state and fulfill their duties; by such a Sacrament they will be strengthened, sanctified and in a manner consecrated. For, as St. Augustine teaches, just as by Baptism and Holy Orders a man is set aside and assisted either for the duties of the Christian life or for the priestly office and is never deprived of

[4] Trid. Concil, sess. XXIV.

[5] *Cod. Iur. Can.*, 1012.

their sacramental aid, almost in the same way (although not by a sacramental character), the faithful, once joined by marriage ties, can never be deprived of the help and the binding force of the Sacrament.

Indeed, as the holy Doctor adds, even those who commit adultery carry with them that sacred yoke, although in this case not as a title to the glory of grace but for the ignominy of their guilty action, "as the soul by apostacy, withdrawing as it were from marriage with Christ, even though it may have lost its faith, does not lose the Sacrament of faith which it received at the laver of regeneration." [6]

These parties, let it be noted, not fettered but adorned by the golden bond of the Sacrament, not hampered but assisted, should strive with all their might to the end that their wedlock not only through the power and symbolism of the Sacrament, but also through their spirit and manner of life, may be and may remain always the living image of that most fruitful union of Christ with the Church, which is to be venerated as the sacred token of most perfect love. All of these things, Venerable Brethren, you must consider carefully and ponder over with a lively faith if you would see in their true light the extraordinary benefits of matrimony—offspring, conjugal faith, and the Sacrament. No one can fail to admire the divine wisdom, holiness and goodness which, while respecting the dignity and happiness of husband and wife, has provided so bountifully for the conservation and propagation of the human race by a single chaste and sacred fellowship of nuptial union.

3. False Marriage Theories

When we consider the great excellence of chaste wedlock, Venerable Brethren, it appears all the more regrettable that particularly in our day we should witness this divine institution often scorned and on every side degraded. For now, alas, not secretly nor under cover, but openly, with all sense of shame put aside, now by word, again by writings, by theatrical productions of every kind, by romantic fiction, by amorous and frivolous novels, by cinematographs portraying in vivid scene, addresses broadcast by radio-telephony, in short, by all the inventions of modern science, the sanctity of marriage is trampled upon and derided. Divorce, adultery, all the basest vices, either are extolled or at least are depicted in such colors as to appear to be free of all reproach and infamy. Books are not lacking which dare to pronounce themselves as scientific, but which in truth are merely coated with a veneer of science in order that they may the more easily insinuate their ideas. The doctrines defended in these are offered for sale as the productions of modern

[6] St. Aug., De Nupt. et Concup., Lib. 1, cap. 10.

genius, of that genius, namely, which, anxious only for truth, is considered to have emancipated itself from all those old-fashioned and immature opinions of the ancients; and to the number of these antiquated opinions they relegate the traditional doctrine of Christian marriage.

These thoughts are instilled into men of every class, rich and poor, workers and masters, lettered and unlettered, married and single, the godly and the godless, old and young, but for these last, as easier prey, the worst snares are laid. Not all the sponsors of these new doctrines are carried to the extremes of unbridled lust. There are those who, striving, as it were, to ride a middle course, believe nevertheless that something should be conceded in our times as regards certain precepts of the divine and natural law. But these likewise, more or less wittingly, are emissaries of the great enemy who is ever seeking to sow cockle among the wheat. We, therefore, whom the Father has appointed over His field, we who are bound by our most holy office to take care lest the good seed be choked by the weeds, believe it fitting to apply to ourselves the most grave words of the Holy Ghost with which the Apostle Paul exhorted his beloved Timothy: "Be thou vigilant. Fulfill thy ministry. Preach the word, be instant in season, out of season, reprove, entreat, rebuke in all patience and doctrine." [7]

And since, in order that the deceits of the enemy may be avoided, it is necessary first of all that they be laid bare, since much is to be gained by denouncing these fallacies for the sake of the unwary, even though we prefer not to name these iniquities, "as becometh saints," yet for the welfare of souls we cannot remain altogether silent.

To begin at the very source of these evils, their basic principle lies in this, that matrimony is repeatedly declared to be not instituted by the Author of nature nor raised by Christ the Lord to the dignity of a true Sacrament, but invented by man. Some confidently assert that they have found no evidence for the existence of matrimony in nature or in her laws, but regard it merely as the means of producing life and of gratifying in one way or another a vehement impulse. On the other hand, others recognize that certain beginnings or, as it were, seeds of true wedlock, are found in the nature of man, since, unless men were bound together by some form of permanent tie, the dignity of husband and wife or the natural end of propagating and rearing the offspring would not receive satisfactory provision; at the same time they maintain that in all beyond this germinal idea of matrimony, through various concurrent causes, is invented solely by the mind of man, established solely by his will.

[7] II Tim. 4:2-5.

How grievously all these err and how shamelessly they leave the ways of honesty is already evident from what we have set forth here regarding the origin and nature of wedlock, its purposes and the good inherent in it. The evil of this teaching is plainly seen from the consequences which its advocates deduce from it, namely, that the laws, institution and customs by which wedlock is governed, since they take their origin solely from the will of man, are subject entirely to him, hence can and must be founded, changed and abrogated according to human caprice and the shifting circumstances of human affairs; that the generative power which is grounded in nature itself is more sacred and has wider range than matrimony; hence it may be exercised both outside as well as within the confines of wedlock, even though the purpose of matrimony be set aside, as though to suggest that the license of a base fornicating woman should enjoy the same rights as the chaste motherhood of a lawfully wedded wife.

Armed with these principles, some men go so far as to concoct new species of unions, suited, as they say, to the present temper of men and the times, which various new forms of matrimony they presume to label "temporary," "experimental," and "companionate." These offer all the indulgence of matrimony and its rights, without, however, the indissoluble bond, and without offspring, unless later the parties alter their cohabitation into a matrimony in the full sense of the law.

Indeed there are some who desire and insist that these practices be legitimatized by law or at least excused by their general acceptance among the people. They do not seem to suspect that these proposals partake of nothing of the modern "culture" in which they glory so much, but are simply hateful abominations which beyond all question reduce our truly cultured nations to the barbarous standards of savage peoples.

4. Evils opposed to Matrimony

And now, Venerable Brethren, we shall explain in detail the evils opposed to each of the benefits of matrimony.

Crime of Birth Control.

First consideration is due to the offspring, which many have the boldness to call the disagreeable burden of matrimony and which, they say, is to be carefully avoided by married people, not through virtuous continence (which Christian law permits in matrimony when both parties consent), but by frustrating the marriage act. Some justify this criminal abuse on the ground that they are weary of children and wish to gratify their desires without their consequent burden. Others say that they cannot on the one hand remain con-

tinent nor, on the other, can they have children because of the difficulties, whether on the part of the mother or on the part of family circumstances.

But no reason, however grave, may be put forward by which anything intrinsically against nature may become conformable to nature and morally good. Since, therefore, the conjugal act is destined primarily by nature for the begetting of children, those who in exercising it deliberately frustrate its natural power and purpose sin against nature and commit a deed which is shameful and intrinsically vicious.

Small wonder, therefore, if Holy Writ bears witness that the Divine Majesty regards with greatest detestation this horrible crime and at times has punished it with death, as St. Augustine notes. "Intercourse even with one's legitimate wife is unlawful and wicked where the conception of offspring is prevented. Onan, the son of Juda, did this and the Lord killed him for it."

Since, therefore, openly departing from the uninterrupted Christian tradition, some recently have judged it possible solemnly to declare another doctrine regarding this question, the Catholic Church, to whom God has entrusted the defence of the integrity and purity of morals, standing erect in the midst of the moral ruin which surrounds her, in order that she may preserve the chastity of the nuptial union from being defiled by this foul stain, raises her voice in token of divine ambassadorship and through our mouth proclaims anew: Any use whatsoever of matrimony exercised in such a way that the act is deliberately frustrated in its natural power to generate life is an offence against the law of God and of nature, and those who indulge in such are branded with the guilt of grave sin. We admonish, therefore, priests who hear confessions, and others who have the care of souls, in virtue of our supreme authority and in our solicitude for the salvation of souls, not to allow the faithful entrusted to them to err regarding this most grave law of God; much more, that they keep themselves immune from such false opinions in no way conniving in them. If any confessor or pastor of souls, which may God forbid, lead the faithful entrusted to him into these errors or should at least confirm them by approval or by guilty silence, let him be mindful of the fact that he must render a strict account to God, the Supreme Judge, for the betrayal of his sacred trust, and let him take to himself the words of Christ: "They are blind leaders of the blind. And if the blind lead the blind, both fall into the pit." [8]

As regards the evil use of matrimony—to pass over the arguments which are shameful ones—not infrequently others that are false

[8] Matt. 15: 14.

and exaggerated are put forward. Holy Mother Church very well understands and clearly appreciates all that is said regarding the health of the mother and the danger to her life; and who would not grieve to think of these things? who is not filled with the greatest admiration when he sees a mother risking her life with heroic fortitude, that she may preserve the life of the offspring which she has conceived? God alone, all bountiful and all merciful as He is, can reward her for the fulfillment of the office allotted to her by nature, and will assuredly repay her in a measure full to overflowing.[9]

Holy Church knows well that not infrequently one of the parties is sinned against rather than sinning, when for a grave cause he or she reluctantly allows the perversion of the right order. In such a case, there is no sin, provided that, mindful of the law of charity, he or she does not neglect to seek to dissuade and to deter the partner from sin. Nor are those considered as acting against nature who in the married state use their right in the proper manner although on account of natural reasons either of time or of certain defects, new life cannot be brought forth. For in matrimony as well as in the use of the matrimonial rights there are also secondary ends, such as mutual aid, the cultivating of mutual love, and the quieting of concupiscence which husband and wife are not forbidden to consider so long as they are subordinated to the primary end and so long as the intrinsic nature of the act is preserved.

We are deeply touched by the sufferings of those parents who, in extreme want, experience great difficulty in rearing their children. However, they should take care lest the calamitous state of their external affairs should be the occasion for a much more calamitous error. No difficulty can arise that justifies the putting aside of the law of God which forbids all acts intrinsically evil. There is no possible circumstance in which husband and wife cannot, strengthened by the grace of God, fulfill faithfully their duties and preserve in wedlock their chastity unspotted. This truth of Christian faith is expressed by the teaching of the Council of Trent:[10]

"Let none be so rash as to assert that which the Fathers of the Council have placed under anathema, namely, that there are precepts of God impossible for the just to observe. God does not ask the impossible, but by His commands instructs you to do what you are able, to pray for what you are not able, that He may help you."

This same doctrine was again solemnly repeated and confirmed by the Church in the condemnation of the Jansenist heresy which dared to utter this blasphemy against the goodness of God: "Some precepts of God are, when one considers the powers which man possesses,

[9] Luke 6:38.

[10] Trid. Concil, sess. vi, chap. 11.

impossible of fulfillment even to the just who wish to keep the law and strive to do so: grace is lacking whereby these laws could be fulfilled."

"THOU SHALT NOT KILL".

But another very grave crime is to be noted, Venerable Brethren, which regards the taking of the life of the offspring hidden in the mother's womb. Some wish it to be allowed and left to the will of the father or the mother; others say it is unlawful unless there are weighty reasons which they call by the name of medical, social, or eugenic "indication." Because this matter falls under the penal laws of the state by which the destruction of the offspring begotten but unborn is forbidden, these people demand that the "indication," which in one form or another they defend, be recognized as such by the public law and in no way penalized. There are those, moreover, who ask that the public authorities provide aid for these death-dealing operations; a thing which, sad to say, everyone knows is of very frequent occurrence in some places.

As to the "medical and therapeutic indication" to which, using their own words, we have made reference, Venerable Brethren, however much we may pity the mother whose health and even life is gravely imperiled in the performance of the duty allotted to her by nature, nevertheless what could ever be a sufficient reason for excusing in any way the direct murder of the innocent? This is precisely what we are dealing with here. Whether inflicted upon the mother or upon the child it is against the precept of God and the law of nature: "Thou shalt not kill." The life of each is equally sacred, and no one has the power, not even the public authority, to destroy it.

It is of no use to appeal to the right of taking away life, for here it is a question of the innocent, whereas that right has regard only to the guilty; nor is there here question of defence by bloodshed against an unjust aggressor (for who would call an innocent child an unjust aggressor?).

Again, there is no question here of what is called the "law of extreme necessity," which could even extend to the direct killing of the innocent. Upright and skilful doctors strive most praiseworthily to guard and preserve the lives of both mother and child. On the contrary, those show themselves most unworthy of the noble medical profession who encompass the death of one or the other, under pretence of practising medicine or through motives of misguided pity.

All of which agrees with the stern words of the Bishop of Hippo in denouncing those wicked parents who seek to remain childless and failing in this are not ashamed to put their offspring to death:

"Sometimes this lustful cruelty or cruel lust goes so far as to seek to procure a baneful sterility; and if this fails, the foetus conceived in the womb is in one way or another smothered or evacuated, in the desire to destroy the offspring before it has life, or if it already lives in the womb, to kill it before it is born. If both man and woman are party to such practices they are not spouses at all; and if from the first they have carried on thus, they have come together not for honest wedlock, but for impure gratification. If both are not party to these deeds, I make bold to say that either the one makes herself a mistress of the husband, or the other simply the paramour of his wife." [11]

What is asserted in favor of the social and eugenic "indication" may and must be accepted, provided lawful and upright methods are employed within the proper limits; but to wish to put forward reasons based upon them for the killing of the innocent is unthinkable and contrary to the divine precept promulgated in the words of the Apostle: "Evil is not to be done that good may come of it." [12]

Those who hold the reins of government should not forget that it is the duty of public authority by appropriate laws and sanctions to defend the lives of the innocent, and this all the more so since those whose lives are endangered and assailed cannot defend themseles: among whom we must mention in the first place infants hidden in the mother's womb. And if the public magistrates not only do not defend them, but by their laws and ordinances betray them to death at the hands of doctors or of others, let them remember that God is the judge and avenger of innocent blood which cries from earth to heaven.[13]

Finally, that pernicious practice must be condemned which closely touches upon the natural right of man to enter matrimony but affects also in a real way the welfare of the offspring. For there are some who, over-solicitious for the cause of eugenics, not only give salutary counsel for more certainly procuring the strength and health of the future child—which, indeed, is not contrary to right reason—but put eugenics before aims of a higher order, and by public authority wish to prevent from marrying all those who, even though naturally fit for marriage, they consider, according to the norms and conjectures of their investigations, would, through hereditary transmission, bring forth defective offspring. And more, they wish to legislate to deprive these of that natural faculty by medical action despite their unwillingness, and this they do not propose as an infliction of grave punishment under the authority of the State for a crime committed, nor to prevent future crimes by guilty persons, but

[11] St. Aug., de Nupt. et Concup., cap. xv.

[12] Rom. 3:8.

[13] Gen. 4:16.

against every right and good they wish the civil authority to arrogate to itself a power over a faculty which they never had and can never legitimately possess.

Family More Sacred than State.

Those who act in this way are at fault in losing sight of the fact that the family is more sacred than the State, and that men are begotten not for the earth and for time, but for heaven and eternity. Although often these individuals are to be dissuaded from entering into marriage, certainly it is wrong to brand men with the stigma of crime because they contract marriage, on the ground that, despite the fact that they are in every respect capable of matrimony, they will give birth only to defective children, even though they use all care and diligence.

Public magistrates have no direct power over the bodies of their subjects. Therefore, where no crime has taken place and there is no cause present for grave punishment, they can never directly harm or tamper with the integrity of the body, either for reasons of eugenics or any other reason. St. Thomas teaches this when, inquiring whether human judges for the sake of preventing future evils can inflict punishment, he admits that the power indeed exists as regards certain other forms of punishment, but justly and properly denies it as regards the maiming of the body. "No one who is guiltless may be punished by a human tribunal either by flogging to death, or by mutilation, or by beating."

Furthermore, Christian doctrine establishes, and the light of human reason makes it most clear, that private individuals have no power over the members of their bodies than that which pertains to their natural ends; and they are not free to destroy or mutilate their members, or in any other way render themselves unfit for their natural functions, except when no other provision can be made for the good of the whole body.

Wrong Ideas about Conjugal Freedom.

We may now consider another class of errors concerning conjugal faith. For every sin committed as regards the offspring becomes in some way a sin against conjugal faith, since both these benefits are essentially connected. Moreover, we must mention in detail all the sources of error and vice which correspond to those virtues that are demanded by conjugal faith, namely, the chaste honor existing between man and wife, the due subjection of wife to husband, and the true love which binds both parties together.

It follows, therefore, that they are destroying mutual fidelity who think that the ideas and morality of our present time concerning a

certain harmful and false friendship with a third party can be countenanced, and who teach that greater freedom of feeling and action in such external relations should be allowed to man and wife, particularly as many (so they consider) are possessed of an inborn sexual tendency which cannot be satisfied within the narrow limits of monogamous marriage. That rigid attitude which condemns all sensual affections and actions with a third party they imagine to be a narrowing of mind and heart, something obsolete, or an abject form of jealousy, and as a result they look upon whatever penal laws are passed by the State for the preserving of conjugal faith as void or to be abolished. Such unworthy and idle opinions are condemned by that noble instinct which is found in every chaste husband and wife, and that even by the light of the testimony of nature alone, a testimony that is sanctioned and confirmed by the command of God, "Thou shalt not commit adultery," and the words of Christ, "Whosoever shall look on a woman to lust after her hath already committed adultery with her in his heart." The force of this divine precept can never be weakened by merely human custom, bad example or pretext of human progress, for just as it is the one and the same "Jesus Christ, yesterday and to-day and the same for ever," so it is the one and the same doctrine of Christ that abides and of which not one jot or tittle shall pass away till all are fulfilled.

False Emancipation of Woman.

The same false teachers who try to dim the lustre of conjugal faith and purity do not scruple to do away with the honorable and trusting obedience which the woman owes to the man. Many of them even go further and assert that such a subjection of one party to the other is unworthy of human dignity, that the rights of husband and wife are equal. Wherefore, they boldly proclaim the emancipation of woman has been or ought to be effected. This emancipation in their ideas must be threefold, in the ruling of the domestic society, in the administration of family affairs, and in the rearing of the children. It must be social, economic, physiological:—physiological, that is to say, the woman is to be freed at her own good pleasure from the burdensome duties properly belonging to a wife as companion and mother (we have already said that this is not an emancipation but a crime); social, inasmuch as the wife being freed from the care of children and family, should, to the neglect of these, be able to follow her own bent and devote herself to business and even public affairs; finally, economic, whereby the woman even without the knowledge and against the wish of her husband may be at liberty to conduct and administer her own affairs, giving her attention chiefly to these rather than to children, husband and family.

This, however, is not the true emancipation of woman, nor that rational and exalted liberty which belongs to the noble office of a Christian woman and wife. It is rather the debasing of the womanly character and the dignity of motherhood and indeed of the whole family, as a result of which the husband suffers the loss of his wife, the children of their mother, and the home and the whole family of an ever watchful guardian. More than this, this false liberty and unnatural equality with the husband is to the detriment of the woman herself; for if the woman descends from her truly regal throne to which she has been raised within the walls of the home by means of the Gospel, she will soon be reduced to the old state of slavery, if not in appearance, certainly in reality, and become, as amongst the pagans, the mere instrument of man.

This equality of rights which is so much exaggerated and distorted must indeed be recognized in those rights which belong to the dignity of the human and which are proper to the marriage contract and inseparably bound up with wedlock. In such things undoubtedly both parties enjoy the same rights and are bound by the same obligations. In other things there must be a certain inequality and due accommodation, which is demanded by the good of the family and the right ordering and unity and stability of home life. As, however, the social and economic conditions of the married woman must in some way be altered on account of the changes in social intercourse, it is part of the office of the public authority to adapt the civil rights of the wife to modern needs and requirements, keeping in view what the natural disposition and temperament of the female sex, good morality, and the welfare of the family demand, and provided always that the essential order of the domestic society remain intact, founded as it is on something higher than human authority and wisdom, namely, on the authority and wisdom of God, and so not changeable by public laws or at the pleasure of private individuals. These enemies of marriage go further, however, when they substitute for that true and solid love which is the basis of conjugal happiness, a certain vague compatibility of temperament. This they call sympathy and assert that, since it is the only bond by which husband and wife are linked together, when it ceases the marriage is completely dissolved. What else is this than to build a house upon sand? A house that, in the words of Christ, would forthwith be shaken and collapse as soon as it was exposed to the waves of adversity: "And the winds blew and they beat upon that house, and it fell. And great was the fall thereof." On the other hand, the house built upon a rock, that is to say, on mutual conjugal chastity and strengthened by a deliberate and constant union of spirit, will not only never fall away but will never be shaken by adversity.

Sacrament Itself Attacked.

We have so far, Venerable Brethren, shown the excellency of the first two blessings of Christian wedlock which the modern disturbers of society are attacking. And now considering that the third blessing, which is that of the Sacrament, far surpasses the other two, we should not be surprised to find that this, because of its outstanding excellence, is much more sharply attacked by the same people. They put forward in the first place that matrimony belongs entirely to the profane and purely civil sphere, that it is not to be committed to the religious society, the Church of Christ, but to civil society alone. They then add that the marriage contract is to be freed from any indissoluble bond, and that separation and divorce are not only to be tolerated but sanctioned by the law. From which it follows finally that, robbed of all its holiness, matrimony should be enumerated amongst the secular and civil institutions. The first point is contained in their contention that the civil act itself should stand for the marriage contract (civil matrimony, as it is called), while the religious act is to be considered a mere addition, or at most a concession to a too superstitious people. Moreover, they want it to be no cause for reproach that marriages be contracted by Catholics and non-Catholics without any reference to religion or recourse to the ecclesiastical authorities. The second point, which is but a consequence of the first, is to be found in their excuse for complete divorce and in their praise and encouragement of those civil laws which favor the loosening of the bond itself. As the salient features of the religious character of all marriage and particularly of the sacramental marriage of Christians have been treated at length and supported by weighty arguments in the encyclical letters of Leo XIII, letters which we have frequently recalled to mind and expressly made our own, we refer you to them, repeating here only a few points.

Even by the light of reason alone and particularly if the ancient records of history are investigated, if the unwavering popular conscience is interrogated and the manners and institutions of all races examined, it is sufficiently obvious that there is a certain sacredness and religious character attaching even to the purely natural union of man and woman—" not something added by chance but innate, not imposed by men but involved in the nature of things," since it has " God for its author and has been even from the beginning a foreshadowing of the Incarnation of the Word of God." This sacredness of marriage which is intimately connected with religion and all that is holy arises from the divine origin we have just mentioned, " from its purpose, which is the begetting and educating of

'children for God' and the binding of man and wife to God through Christian love and mutual support." And finally, it arises from the very nature of wedlock, "whose institution is to be sought for in the far-seeing Providence of God," whereby it is the means "of transmitting life," thus making the parents the ministers as it were of the Divine omnipotence. To this must be added that new element of dignity which comes from the Sacrament by which the Christian marriage is so ennobled and raised to such a level that it appeared to the Apostle as "a great Sacrament," honorable in every way. This religious character of marriage, its sublime signification of grace and the union between Christ and the Church, evidently requires that those about to marry should show a holy reverence toward it, and zealously endeavor to make their marriage approach as nearly as possible to the archetype of Christ and the Church.

Perils of Mixed Marriages.

They, therefore, who rashly and heedlessly contract mixed marriages, from which the maternal love and providence of the Church dissuade her children for very sound reasons, fail conspicuously in this respect, sometimes with danger to their eternal salvation. This attitude of the Church to mixed marriages appears in many of her documents, all of which are summed up in the Code of Canon Law in the canon: "Everywhere and with the greatest strictness the Church forbids marriages between baptized persons, one of whom is a Catholic and the other a member of a schismatical or heretical sect, and if there is added to this the danger of the falling away of the Catholic party and the perversion of the children, such a marriage is forbidden also by the divine law." If the Church occasionally on account of circumstances does not refuse to grant a dispensation from these strict laws, provided that the divine law remains intact and the dangers above mentioned are provided against by suitable safeguards, it is unlikely that the Catholic party will not suffer some detriment from such a marriage.

Whence it comes about not infrequently, as experience shows, that deplorable defections from religion occur among the offspring, or at least a headlong descent into that religious indifference which is closely allied to impurity. Then is this also to be considered, that in these mixed marriages it becomes much more difficult to imitate by a lively conformity of spirit the mystery of which we have spoken, namely, that close union between Christ and His Church.

False Divorce Legislation.

Assuredly also will there be wanting that close union of spirit which, as it is the sign and mark of the Church of Christ, so also should be the sign of Christian wedlock, its glory and adornment.

For, where there exists diversity of mind, truth and feeling, the bond of union of mind and heart is wont to be broken, or at least weakened. From this comes the danger lest the love of man and wife grow cold and the peace and happiness of family life, resting as it does on the union of hearts, be destroyed. Many centuries ago, indeed, the old Roman law had proclaimed "marriages are the union of male and female, a sharing of life and the communication of divine and human rights"; but especially, as we have pointed out, Venerable Brethren, the daily increasing facility of divorce is an obstacle to the restoration of marriage to that state of perfection which the Divine Redeemer willed it should possess.

The advocates of the neo-Paganism of to-day have learned nothing from the sad state of affairs, but instead day by day, more and more vehemently, they continue by legislation to attack the indissolubility of the marriage bond, proclaiming that the lawfulness of divorce must be recognized, and that the antiquated laws should give place to a new and more human legislation. Many and varied are the grounds put forward for divorce, some arising from the wickedness and the guilt of the persons concerned, others arising from the circumstances of the case. The former they describe as subjective, the latter as objective: in a word, whatever might make married life hard or unpleasant. They strive to prove their contentions regarding these grounds for the divorce legislation they would bring about, by various arguments. Thus, in the first place, they maintain that it is for the good of either party that the one who is innocent should have the right to separate from the guilty, or that the guilty should be withdrawn from a union which is unpleasant to him and against his will. In the second place, they argue, the good of the child demands this, for either it will be deprived of a proper education or will too easily be affected by the discords and shortcomings of the parents, and drawn from the path of virtue. And thirdly, the common good of society requires that these marriages should be completely dissolved which are now incapable of producing their natural results, and that legal separation should be allowed when crimes are to be feared as the result of the common habitation and intercourse of the parties. This last, they say, must be admitted to avoid the crimes being committed purposely with a view to obtaining the desired sentence of divorce for which the judge can legally loose the marriage bond, as also to prevent people from coming before the courts when it is obvious from the state of the case that they are lying and perjuring themselves—all of which brings the court and lawful authority into contempt. Hence the civil laws, in their opinion, have to be reformed to meet these new requirements, to suit the changes of the

times and the changes in men's opinions, civil institutions and customs. Each of these reasons is considered by them as conclusive, so that all taken together they offer a clear proof of the necessity of granting divorce in certain cases.

Others, taking a step further, simply state that marriage, being a private contract, is, like other private contracts, to be left to the consent and good pleasure of both parties, and so can be dissolved for any reason whatsoever. Opposed to all these reckless opinions, Venerable Brethren, stands the unalterable law of God, fully confirmed by Christ, a law that can never be deprived of its force by the decrees of men, the ideas of a people or the will of any legislator. "What God hath joined together, let no man put asunder." And if any man, acting contrary to this law, shall have put asunder, his action is null and void, and the consequence remains, as Christ Himself has explicitly confirmed: "Everyone that putteth away his wife and marrieth another, committeth adultery: and he that marrieth her that is put away from her husband committeth adultery." Moreover, these words refer to every kind of marriage, even that which is natural and legitimate only. For, as has already been observed, that indissolubility by which the loosening of the bond is once and for all removed from the whim of the parties and from every secular power, is a property of every true marriage.

Let that solemn pronouncement of the Council of Trent be recalled to mind in which, under the stigma of anathema, it condemned these errors: "If anyone should say that on account of heresy or the hardships of cohabitation or a deliberate abuse of one party by the other, the marriage tie may be loosened, let him be anathema." And again, "If anyone should say that the Church errs in having taught or in teaching that, according to the teaching of the Gospel and the Apostles, the bond of marriage cannot be loosed because of the sin of adultery of either party, or that neither party, even though one be innocent, having given no cause for the sin of adultery, can contract another marriage during the lifetime of the other and that he commits adultery who marries another after putting away his adulterous wife, and likewise that she commits adultery who puts away her husband and marries another: let him be anathema."

Arguments for Divorce Answered.

If, therefore, the Church has not erred and does not err in teaching this, and consequently it is certain that the bond of marriage cannot be loosed even on account of the sin of adultery, it is evident that all the other weaker excuses that can be and are usually brought forward, are of no value whatsoever, and the objections brought against the firmness of the marriage bond are easily answered.

For, in certain circumstances imperfect separation of the parties is allowed, the bond not being severed.

This separation, which the Church herself permits and expressly mentions in her Code of Canon Law in those canons which deal with the separation of the parties as to marital relationship and cohabitation, removes all the alleged inconveniences and dangers. It will be for the sacred law and to some extent also the civil law, in so far as civil matters are affected, to lay down the grounds, the conditions, the method and precautions to be taken in a case of this kind in order to safeguard the education of the children and the well-being of the family, and to remove all those evils which threaten the married persons, the children and the state. Now all those arguments that are brought forward to prove the indissolubility of the marriage tie, arguments which have already been touched upon, can equally be applied to excluding not only the necessity of divorce, but even the power to grant it; while for all the advantages that can be put forward for the former, there can be adduced as many disadvantages and evils which are a formidable menace to the whole of human society.

To revert again to the expressions of our predecessor, it is hardly necessary to point out what an amount of good is involved in the absolute indissolubility of wedlock and what a train of evils follows upon divorce. Whenever the marriage bond remains intact, then we find marriages contracted with a sense of safety and security, while, when separations are considered and the dangers of divorce are present, the marriage contract itself becomes insecure, or at least gives ground for anxiety and surprises. On the one hand we see a wonderful strengthening of good will and coöperation in the daily life of husband and wife, while on the other both of these are miserably weakened by the presence of a facility for divorce. Here we have at a very opportune moment a source of help by which both parties are enabled to preserve their purity and loyalty; there we find harmful inducements to unfaithfulness. On this side we find the birth of children and their tuition and upbringing effectively promoted, many avenues of discord closed amongst families and relations, and the beginnings of rivalry and jealousy easily suppressed; and on that side, very great obstacles to the birth and rearing of children and their education, many occasions of quarrels and seeds of jealousy sown everywhere. Finally, but especially, the dignity and position of women in civil and domestic society are reinstated by the former; while by the latter they are shamefully lowered and the danger is incurred of their being considered outcasts, slaves of the lust of men.

To conclude with the important words of Leo XIII, since the destruction of family life "and the loss of national wealth and re-

sources are brought about more by the corruption of morals than by anything else, it is easily seen that divorce, which is born of the perverted morals of a people, and leads, as experiment shows, to vicious habits in public and private life, is particularly opposed to the well-being of the family and of the state. The serious nature of these evils will be the more clearly recognized when we remember that, once divorce has been allowed, there will be no sufficient means of keeping it in check within any definite bounds. Great is the force of example; greater still that of lust, and with such incitements it cannot but happen that divorce and its consequent setting loose of the passions should spread daily and attack the souls of many like a contagious disease or a river bursting its banks and flooding the land."

Thus, as we read in the same letter, "unless things change, the human family and state have every reason to fear lest they should suffer absolute ruin." All this was written fifty years ago, yet it is confirmed by the daily increasing corruption of morals and the unheard-of degradation of the family in those lands where communism reigns unchecked.

Thus far, Venerable Brethren, we have admired, with due reverence, what the all-wise Creator and Redeemer of the human race has ordained with regard to human marriage. At the same time we have expressed our grief that such a pious ordinance of the Divine goodness should to-day, and on every side, be frustrated and trampled upon by the passions, errors, and vices of men.

5. Principal Remedies

It is fitting, then, that, with all paternal solicitude, we should turn our mind to seek out suitable remedies whereby those most detestable abuses which we have mentioned, may be removed and everywhere marriage may again be revered. To this end, it behooves us above all else to call to mind that firmly established principle esteemed alike in sound philosophy and sacred theology; namely, that whatever things have deviated from their right order cannot be brought back to that original state which is in harmony with their nature except by a returning to the Divine plan which, as the Angelic Doctor teaches, is the exemplar of all right order.

Wherefore our predecessor of happy memory, Leo XIII, in these words urged against the naturalists: "It is a divinely appointed law that whatsoever things are constituted by God, the Author of nature, these we find the more useful and salutary, the more they remain in their natural state, unimpaired and unchanged; inasmuch as God, the Creator of all things, intimately knows what is suited to the constitution and the preservation of each, and by His will and mind

has so ordained all things that each may duly achieve its purpose. But if the audacity and impiety of men would change and disturb this order of things, so providentially disposed, then indeed things so wonderfully ordained will begin to be injurious, or will cease to be beneficial either because in the change they have lost their power to benefit, or because God Himself is thus pleased to draw down chastisement on the pride and presumption of men."

In order, therefore, to restore due order in this matter of marriage, it is necessary that all should bear in mind what is the Divine plan and strive to conform to it.

Wherefore, since the chief obstacle to this study is the power of unbridled lust, which indeed is the most potent cause of sinning against the sacred laws of matrimony, and since man cannot hold in check his passions unless he first subject himself to God, this must be his primary endeavor, in accordance with the plan divinely ordained. For it is a sacred ordinance that whoever shall have first subjected himself to God will, by the aid of divine grace, rejoice to subject to himself his own passions and concupiscence; while he who is a rebel against God will, to his sorrow, experience within himself the violent rebellion of his worst passions.

And how wisely this has been decreed, St. Augustine thus shows: "This indeed is fitting, that the lower be subject to the higher, so that he who would have subject to himself whatever is below him, should himself submit to whatever is above him. Acknowledge order. Seek peace. Be thou subject to God, and thy flesh subject to thee. What more fitting; what more fair! Thou art subject to the higher and the lower is subject to thee. Do thou serve Him who made thee, so that that which was made for thee may serve thee. For we do not commend this order, namely, 'the flesh to thee and thou to God,' but 'thou to God, and thy flesh to thee.' If, however, thou despiseth the subjection of thyself to God, thou shalt never bring about the subjection of the flesh to thyself. If thou dost not obey the Lord, thou shalt be tormented by thy servant."

This right ordering on the part of God's wisdom is mentioned by the holy Doctor of the Gentiles, inspired by the Holy Ghost, for in speaking of those ancient philosophers who refused to adore and reverence Him whom they knew to be the Creator of the universe, he says: "Wherefore, God gave them up to the desires of their heart, unto uncleanness, to dishonor their own bodies among themselves." And again: "For this same God delivered them up to shameful affections."

And St. James says: "God resisteth the proud and giveth grace to the humble," without which grace, as the same Doctor of the Gentiles reminds us, man cannot subdue the rebellion of his flesh.

Consequently, as the onslaughts of these uncontrolled passions cannot in any way be lessened, unless the spirit first shows a humble compliance of duty and reverence toward its Maker, it is above all and before all needful that those who are joined in the bond of sacred wedlock should be wholly imbued with a profound and genuine sense of duty toward God, which will shape their whole lives and fill their minds and wills with a very deep reverence for the majesty of God.

Quite fittingly, therefore, and quite in accordance with the defined norm of Christian sentiment, do those pastors of souls act who, to prevent married people from failing in the observance of God's law, urge them to perform their duty and exercise their religion so that each give himself or herself to God, continually ask for His divine assistance, frequent the Sacraments, and always nourish and preserve a loyal and thoroughly sincere devotion to God.

The Church the Teacher of Truth.

They are greatly deceived who, having underestimated or neglected these means which rise above nature, think that they can induce men by the use and discovery of the natural sciences (such as those of biology, the science of heredity, and the like) to curb their carnal desires. We do not say this in order to belittle those natural means which are not dishonest; for God is the author of nature as well as of grace, and He has disposed the good things of both orders for the beneficial use of men. The faithful, therefore, can and ought to be assisted also by natural means. But they are mistaken who think that these means are able to establish chastity in the nuptial union, or that they are more effective than supernatural grace.

This conformity of wedlock and moral conduct with the divine laws respecting marriage, without which its effective restoration cannot be brought about, supposes, however, that all can discern readily, with real certainty, and without any accompanying error, what those laws are. But everyone can see to how many fallacies an avenue would be opened up and how many errors would become mixed with the truth, if it were left solely to the light of reason of each to find it out, or if it were to be discovered by the private interpretation of the truth which is revealed. And if this is applicable to many other truths of the moral order, we must all the more pay attention to those things which appertain to marriage, where the inordinate desire for pleasure can attack frail human nature and easily deceive it and lead it astray. This is all the more true of the observance of the divine law which demands sometimes hard and repeated sacrifices, for which, as experience points out, a weak man can find so many excuses for avoiding the fulfilment of the divine law.

On this account, in order that no falsification or corruption of the divine law, but a true genuine knowledge of it, may enlighten the minds of men and guide their conduct, it is necessary that filial and humble obedience toward the Church should be combined with devotedness to God and the desire of submitting to Him. For Christ Himself made the Church the teacher of truth in those things also which concern the ruling and regulation of moral conduct, even though some things are not of themselves impervious to human reason. For just as God in the case of the natural truths of religion and morals added revelation to the light of reason so that these things which are right and true, "in the present state also of the human race may be known readily with real certainty without any admixture of error," so for the same purpose He has constituted the Church the guardian and the teacher of the whole of the truth concerning religion and moral conduct. To her, therefore, should the faithful show obedience and subject their minds and hearts so as to be kept unharmed and free from error and moral corruption. And so that they shall not deprive themselves of that assistance given by God with such liberal bounty, they ought to give this due obedience, not only when the Church defines something with solemn judgment, but also, in proper proportion, when, by the constitutions and decrees of the Holy See, opinions are proscribed and condemned as dangerous or distorted.

Wherefore, let the faithful also be on their guard against the overrated independence of private judgment and that false autonomy of human reason. For it is quite foreign to everyone bearing the name of Christian to trust his own mental powers with such pride as to agree only with those things which he can examine from their inner nature and to imagine that the Church, sent by God to teach and guide all nations, is not conversant with present affairs and circumstances, or even that they must obey only in those matters which she has decreed by means of solemn definition, as though Her other decisions might be presumed to be false or to put forward insufficient motive for truth and honesty.

Quite to the contrary, a characteristic of all true followers of Christ, lettered or unlettered, is to suffer themselves to be guided and led in all things that touch upon faith or morals by the Holy Church of God, through its Supreme Pastor, the Roman Pontiff, who is himself guided by Jesus Christ our Lord.

Consequently, since everything must be referred to the law and mind of God, in order to bring about the universal and permanent restoration of marriage, it is indeed of the utmost importance that the faithful should be well instructed concerning matrimony; and that both by word of mouth and by the written word, not cursorily

but often and fully, by means of plain and weighty arguments, so that these truths will strike the intellect and will be deeply engraved on their hearts.

Let them realize and diligently reflect upon the great wisdom, kindness and bounty that God has shown toward the human race, not only by the institution of marriage, but also, and quite as much, by upholding it with sacred laws; still more, in wonderfully raising it to the dignity of a Sacrament, by which such an abundant fountain of graces has been opened to those joined in Christian wedlock, that these may be able to serve the noble purposes of wedlock for their own welfare and for that of their children, of the community and also for that of human relationship.

INSTRUCTION REGARDING CHRISTIAN MARRIAGE.

Certainly, if the latter-day subverters of marriage are entirely devoted to misleading the minds of men and corrupting their hearts, to making a mockery of matrimonial purity and extolling the filthiest of vices by means of books and pamphlets and other innumerable methods, much more ought you, Venerable Brethren, whom "the Holy Ghost has placed as bishops, to rule the Church of God, which He hath purchased with His own blood," to give yourselves wholly to this, that, through yourselves and through the priests subject to you, and, moreover, through the laity united by Catholic action, so much desired and recommended by us, into a power of hierarchical apostolate, you may by every fitting means oppose error by truth, vice by the excellent dignity of chastity, the slavery of covetousness by the liberty of the sons of God, the disastrous ease in obtaining divorce by an enduring love in the bond of marriage and by the inviolate pledge of fidelity given even to death.

Thus will it come to pass that the faithful will whole-heartedly thank God that they are bound together by His command and led by gentle compulsion to fly as far as possible from every kind of idolatry of the flesh and from the base slavery of the passions. They will in a great measure turn and be turned away from those abominable opinions which to the dishonor of man's dignity are now spread about in speech and in writing and collected under the title of "perfect marriage" and which indeed would make that perfect marriage nothing better than "depraved marriage," as it has also quite deservedly been styled.

Such wholesome instruction and religious training in regard to Christian marriage will be quite different from that exaggerated physiological education by means of which in these times of ours some reformers of married life make pretence of helping those joined in wedlock, making much of these physiological matters by which is

learned the art of sinning in a subtle way rather than the virtue of living chastely.

So, Venerable Brethren, we make entirely our own the words which our predecessor of happy memory, Leo XIII, in his encyclical letter on Christian Marriage addressed to the Bishops of the whole world: "Take care not to spare your efforts and authority in obtaining that among the people committed to your guidance that doctrine will be preserved whole and unadulterated which Christ the Lord and the Apostles, the interpreters of the Divine will, have handed down, and which the Catholic Church Herself has religiously preserved and commanded to be observed by the faithful of every age."

Spouses should coöperate with the Sacrament.

Even the very best instruction given by the Church, however, will not alone suffice to bring about once more conformity of marriage with the law of God. Something more is needed in addition to the education of the mind; namely, steadfast determination of the will on the part of husband and wife to observe the sacred laws of God and of nature in regard to marriage. In fine, in spite of what others may wish to assert and spread abroad by word of mouth or in writing, let husband and wife resolve to stand fast to the Commandments of God in all things that matrimony demands; always to render to each the assistance of mutual love; to preserve the honor of chastity; not to lay profane hands on the stable nature of the bond; to use the rights given them by marriage in a way that will be always Christian and sacred, more especially in the first years of wedlock, so that should there be need of continency afterward, custom will have made it easier for each to preserve it.

In order that they may make this firm resolution, keep it and put it into practice, an oft-repeated consideration of their state of life and a diligent reflection on the Sacrament they have received will be of great assistance to them. Let them constantly keep in mind that they have been sanctified and strengthened for the duties and for the dignity of their state by a special Sacrament, the efficacious power of which, although it does not impress a character, is undying. To this purpose the words of St. Cardinal Robert Bellarmine may be pondered over, words full of real comfort, who, with other well-known theologians, with devout conviction thus expresses himself: "The Sacrament of Matrimony can be regarded in two ways: first, in the making, and then in its permanent state. Because it is a Sacrament like to that of the Eucharist, which not only when it is being conferred, but also whilst it remains, is a Sacrament. For, as long as the married parties are alive, so long is their union a Sacrament of Christ and the Church."

Yet in order that the grace of this Sacrament may produce its full fruit, there is need, as we have already pointed out, of the co-operation of the married parties; this, in their striving to fulfill their duties to the best of their ability and with unwearied effort. For just as in the natural order men must apply the powers given them by God with their own toil and diligence in order that these may exercise their full vigor, failing which no profit is gained, so also men must use the powers given them by grace, which is laid up in the soul by the Sacrament they have received, with their own unceasing efforts. Let not, then, those who are joined in matrimony neglect the grace of the Sacrament which is in them, but applying themselves to the careful observance, however laborious, of their duties, they will find the power of that grace becoming more effectual as time goes on. And if ever they should feel themselves to be overburdened by the hardships of their condition of life, let them not lose courage, but rather let them regard in some measure as addressed to them that which St. Paul the Apostle wrote to his beloved disciple Timothy, regarding the Sacrament of Holy Orders, when the latter was dejected through hardship and insults: "I admonish thee that thou stir up the grace which is in thee by the imposition of my hands. For God hath not given us the spirit of fear, but of power, and of love, and of sobriety."

Preparation of Parties for Marriage.

All these things, however, Venerable Brethren, depend in large measure on the due preparation, remote and proximate, of the parties for marriage. For it cannot be denied that the basis of a happy wedlock and the ruin of an unhappy one are prepared and set in the souls of boys and girls during the period of childhood and adolescence. There is danger that those who before marriage sought in all things what is theirs, who indulged even their impure desires, will be in the married state what they were before; that they will reap that which they have sown; indeed within the home there will be sadness, lamentation, mutual contempt, strifes, estrangements, weariness of common life; and, worst of all, such parties will find themselves left alone with their own unconquered passions.

Let, then, those who are about to enter on married life approach that state well disposed and well prepared, so that they will be able as far as they can to help each other in sustaining the vicissitudes of life, and yet more in attending to their eternal salvation and in forming the inner man unto the fulness of the image of Christ. It will also help them, if they behave toward their cherished offspring as God wills, that is, that the father be truly a father, and the mother truly a mother. Through their devout love and un-

wearying care, the home, though it be in want and in the midst of this valley of tears, may become for the children a reproduction in a way of that Paradise of delight in which the Creator placed the first men of the human race. Thus will they be able to bring up their children as perfect men and perfect Christians. They will instill into them a sound understanding of the Catholic Church, and will give them such a disposition and love toward their fatherland as duty and gratitude demand. Consequently, both those who are now thinking of some time entering upon this sacred married state, as well as those who have the charge of educating Christian youth, should, with due regard to the future, prepare that which is good, obviate that which is bad, and recall those points about which we have already spoken in our encyclical letter concerning education: "The inclinations of the will, if they are bad, must be repressed from childhood; but such as are good must be fostered, and the mind, particularly of children, should be imbued with doctrines which begin with God, while the heart should be strengthened with the aids of divine grace, in the absence of which no one can curb his evil desires, nor can his discipline and formation be brought to complete perfection by the Church, which Christ has so provided with heavenly doctrines and divine Sacraments, as to make her an effectual teacher of men."

To the proximate preparation of a good married life belongs very specially the care in choosing a partner. On that depends a great deal whether the forthcoming marriage will be happy or not, since one may be to the other either a great help in leading a Christian life, or, on the other hand, a great danger and hindrance. And so that they will not deplore for the rest of their lives the sorrows arising from an indiscreet marriage, those about to enter into wedlock should carefully deliberate in choosing the person with whom henceforward they must live continually. They should in so deliberating keep before their minds the thought first of God and of the true religion of Christ, then of themselves, of their partner, of the children who come, as also of human and civil society, for which wedlock is as a fountain head. Let them diligently pray for divine help, so that they will make their choice in accordance with Christian prudence, not indeed led by the blind and unrestrained impulse of lust, nor by any desire of riches or other base influence, but by a true and noble love and by a sincere affection toward the future partner; and then let them strive in their married life toward those ends for which the state was constituted by God. Lastly, let them not omit to ask the prudent advice of their parents with regard to the partner and let them regard this advice in no light manner, in order that by their mature knowledge and experience of human affairs they

may guard against a baneful mistake, and on the threshold of matrimony may receive more abundantly the Divine blessing, Fourth Commandment: "Honor thy father and thy mother," which is the first Commandment with a promise, "that it may be well with thee and thou mayest be long lived upon the earth."

The Living Wage.

Since it is no rare thing to find that the perfect observance of God's commands and conjugal integrity encounter difficulties because the married parties are oppressed by straitened circumstances, their necessities must be relieved as far as possible.

And so in the first place every effort must be made to obtain that which our predecessor Leo XIII, of happy memory, has already required, namely, that in the state such economic and social methods should be set up as will enable every head of a family to earn as much as, according to his station in life, is necessary for himself, his wife, and for the rearing of his children; for "the laborer is worthy of his hire." To deny this or to make light of what is equitable is a grave injustice and is placed among the greatest sins by Holy Writ. Nor is it lawful to fix such a scanty wage as will be insufficient for the upkeep of the family in the circumstances in which it is placed. Care, however, must be taken that the parties themselves for a considerable time before entering upon married life should strive to dispose of or at least to diminish the material obstacles in their way. The manner in which this may be done effectively and honestly must be pointed out by those of experience. Provision must be made also in the case of those who are not self-supporting, for joint aid by private or public guilds.

When these means which we have pointed out do not fulfil the needs particularly of a larger or poorer family, Christian charity toward our neighbor absolutely demands that those things which are lacking to the needy should be provided; hence it is incumbent on the rich to help the poor, that having an abundance of this world's goods they do not expend them fruitlessly or completely squander them, but employ them for the support and well-being of those who lack the necessities of life. They who give of their substance to Christ in the person of his poor will receive from the Lord a most bountiful reward when He shall come to judge the world. They who act to the contrary will pay the penalty. Not in vain does the Apostle warn us: "He that hath the substance of this world and shall see his brother in need, and shall shut up his bowels from him; how doth the charity of God abide in him?"

If, however, private resources do not suffice for this, it is the duty of the public authority to supply for the insufficient forces of

individual effort; particularly in a matter which is of such importance to the commonweal, touching as it does the maintenance of the family and married people. If families, particularly those in which there are many children, have not suitable dwellings; if the husband cannot find employment and means of livelihood; if the necessities of life cannot be purchased except at exorbitant prices; if even the mother of the family, to the great harm of the home, is compelled to go forth and seek a living by her own labor; if she, too, in the ordinary or even extraordinary labors of childbirth, is deprived of proper food, medicine, and the assistance of a skilled physician, it is patent to all to what an extent married people may lose heart, and how home life and the observance of God's commands are rendered difficult for them; and indeed, how great a peril can arise to public security and to the welfare and very life of civil society itself, when such men are reduced to that condition of desperation that, having nothing which they fear to lose, they are emboldened to hope for chance advantage from the upheaval of the state and of established order.

Wherefore, those who have the care of the state and of the common good cannot neglect the needs of married people and their families, without bringing great harm upon the state and on the common welfare. Hence, in making the laws and in disposing of public funds they must do their utmost to relieve the penury of the needy, considering such as one of the most important of their administrative duties. We are sorry to note that not infrequently nowadays it happens that through a certain inversion of the true order of things, ready and bountiful assistance is provided for the unmarried mother and her illegitimate offspring (who, indeed, must be helped that a greater evil may be avoided) which is denied to legitimate mothers or given sparingly or almost grudgingly.

Duty of State toward Moral Order.

But not only in those things which regard temporal goods, Venerable Brethren, is it the concern of the public authority that proper provision be made for matrimony and the family, but also in other things which are for the good of souls, namely, just laws must be made for the protection of chastity, for reciprocal conjugal aid, and for similar purposes, and they must be faithfully enforced, because, as history testifies, the prosperity of the state and the temporal happiness of its citizens cannot remain safe and sound where the foundation on which they are established, which is the moral order, is weakened, and where the very fountain-head from which the state draws its life, namely, wedlock and the family, is obstructed by the vices of its citizens. For the preservation of the moral order neither

the laws and sanctions of the temporal power are sufficient, nor the beauty of virtue and the exposition of its necessity. Religious authority must enter in to illumine with truth, to direct the will, and to strengthen human frailty by the assistance of divine grace. And such an authority is alone the Church instituted by Christ the Lord. Hence we earnestly exhort in the Lord all those who hold the reins of power that they establish and maintain firmly harmony and friendship with this Church of Christ in order that through the united activity and energy of both powers the tremendous evils may be checked which menace civil society as well as the Church, fruits of those wanton liberties which assail both marriage and the family.

The civil law can assist the Church much in the execution of its important office if, in laying down ordinances, it takes account of what is prescribed by divine and ecclesiastical law, and if penalties are fixed for offenders. For as it is, there are those who think that whatever is permitted by the laws of the state, or at least is not punished by them, is allowed also in the moral order; and, indeed, because they neither fear God nor see any reason to fear the laws of man, act even against their conscience; hence often they bring ruin upon themselves and upon many others. There will be no peril to or diminution of the rights and integrity of the State from its association with the Church. Such a suspicion and fear is empty and groundless, as Leo XIII already has so clearly set forth: "It is generally agreed," he says, "that the founder of the Church, Jesus Christ, wished the spiritual power to be distinct from the civil, and each to be free and unhampered in doing its own work, not forgetting, however, that it is expedient to both, and in the interest of everybody, that there be a harmonious relationship. If the civil power combines in a friendly manner with the spiritual power of the Church, it necessarily follows that both parties will greatly benefit. The dignity of the one will be enhanced, and with religion as its guide, there will never be a rule that is not just; for the other there will be at hand a safeguard and defence which will operate to the public good of the faithful."

So, to bring forward a recent and clear example of what is meant, it has happened, quite in consonance with right order and entirely according to the law of Christ, that in the solemn convention happily entered into between the Holy See and the Kingdom of Italy, even in matrimonial affairs a peaceful settlement and friendly coöperation have been obtained, such as befitted the glorious history of the Italian people and its ancient and sacred traditions. These decrees, indeed, are to be found in the Lateran Pact: "The Italian state, desirous of restoring to the institution of matrimony, which is the basis of the family, that dignity conformable to the traditions of its people, as-

signs as civil effects of the Sacrament of Matrimony all that is attributed to it in canon law."

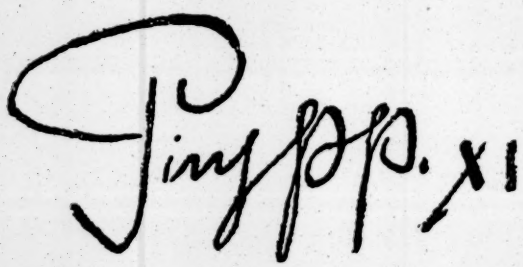
To this fundamental norm are added further clauses in the common Pact. This matter might well be an example and a demonstration to all, that, even in this our own day (in which, sad to say, the absolute separation of the civil power from the Church, and indeed from all religion, is so often taught) one supreme authority can be united and associated with the other without detriment to the rights and supreme power of the other, thus protecting Christian parents from pernicious evils and menacing ruin. All these things which, Venerable Brethren, prompted by our past solicitude we discuss with you, we wish according to the norm of Christian prudence to be promulgated widely among all our beloved children committed to your care as members of the great family of Christ, that all may be thoroughly acquainted with the sound teaching concerning marriage, so that they may be ever on their guard against the dangers advocated by the proponents of error; and most of all, that, "denying ungodliness and worldly desires, they may live soberly and justly, and godly in this world, looking for the blessed hope and coming of the glory of the great God and our Saviour Jesus Christ." [14]

May the Father, "of whom all paternity in heaven and earth is named", who strengthens the weak and gives courage to the pusillanimous and faint-hearted, and Christ our Lord and Redeemer, "the institutor and perfecter of the holy Sacraments," who desired marriage to be and made it the mystical image of His own ineffable union with the Church, and the Holy Ghost, charity, the light of hearts and the strength of the mind, grant that what we by this letter have expounded concerning the holy Sacrament of Matrimony, the wonderful law and will of God respecting it, the errors and impending dangers, and the remedies with which they can be counteracted, all will perceive, will admit with a ready will, and by the grace of God will put into practice, so that that fruitfulness dedicated to God will flourish again vigorously in Christian wedlock.

That God, the Author of all graces, from whom comes every willing and accomplishing, may bring this about, and deign to give it bountifully according to the greatness of His liberality and omnipotence, we most humbly pour forth our earnest prayer at the throne of His grace, and as a token of the abundant blessing of the same Omnipotent God, we most lovingly grant to you, Venerable Brethren, and to the clergy and people committed to your zealous vigilance, the Apostolic Benediction.

[14] Tit. 2: 12-13.

Given at Rome, in Saint Peter's, this thirty-first day of December, of the year 1930, the ninth of our Pontificate.



THE MORAL TEACHING OF THE ENCYCLICAL.

THIS is an exceedingly difficult topic to present adequately. Inasmuch as practically the whole of the Encyclical deals with moral questions, the simplest method would be to quote the entire document. As that has been done elsewhere in this issue of the REVIEW, it is not a practical suggestion. Nor is it easy to select the most important topics in a production of which every part is of living importance. About the only recourse available is to take up for brief emphasis and comment those parts of the Encyclical that emphasize or make more explicit Catholic teaching about which the laity or the clergy, or both, are in peculiar present need of instruction.

LOVE AND OBEDIENCE. — Compared with the perverted meanings of "love" so common to-day in discussions of courtship and marriage, the words of the Holy Father are a fresh breeze, sweeping away noxious gases. True conjugal love, he says, is identical neither with passing lust nor pleasing words, nor a "certain vague compatibility of temperament". It is that deep attachment of the heart which is expressed in action and demands not only mutual help, but that constant support of each other which enables them to advance continuously in true love toward God and neighbor. To put the matter in technical terms, the Pope points out that conjugal love is that disinterested supernatural affection whose object is the good of the other party, not the aggrandizement or satisfaction of self.

The sometimes disturbing injunction of St. Paul that wives should obey their husbands is the subject of several paragraphs in the Encyclical. The headship of the husband, says Pope Pius, does not destroy the reasonable liberty of the wife. It does not imply that she should either obey him in unreasonable things or be treated as a minor. The husband's headship and claim to obedience extend only so far as is required by right order and the effective functioning of the family as a whole. The subjection of wife to husband may vary according to different conditions, of persons, place and time, but it should not be so minimized as to " emancipate " the wife from those duties which must be performed if the genuine interests of the family are to be safeguarded. The wife's duties to children, husband and family come before all other considerations.

BIRTH PREVENTION. — After denouncing those marital unions which are variously denominated " temporary," " experimental," and " companionate," (the Pope quotes all these terms) His Holiness proceeds to treat at considerable length the subject of birth control. The traditional doctrine that all contraceptive methods are wrong because they involve frustration of the marital act, is reasserted in terms that cannot possibly be misunderstood. "Since, therefore, the conjugal act is destined primarily by nature for the begetting of children, those who, in exercising it, deliberately frustrate its natural power and purpose, sin against nature and commit a deed which is shameful and intrinsically vicious." In other words, no consideration of consequences nor of changed circumstances can make this sort of act morally lawful. It is wrong in itself, always and everywhere. The sentence in which the Holy Father declares that the Catholic Church is speaking through his mouth on this subject is extremely solemn and impressive. He represents the Church as " standing erect in the midst of the moral ruin which surrounds her," and raising " her voice in token of divine ambassadorship ".

Scarcely less solemn is the language in which he forbids confessors to allow penitents to err in this grave matter or to connive at false opinions. The confessor or priest who leads the faithful to think that contraceptive practices are not gravely sinful or who condones errors on this point " by approval or

by guilty silence," is admonished that " he must render a strict account to God, the Supreme Judge, for the betrayal of His sacred trust ". Priests who are surprised that the Holy Father should deem it necessary to issue such a severe condemnation are probably unaware that some confessors (happily they seem to be very few) have been guilty of this astonishing dereliction of duty. In more than one city, I have heard of confessors who, without a word of admonition, absolved penitents who accused themselves of addiction to birth-control practices. It is difficult to understand how any priest could follow this course in the face of the explicit instruction of the Congregation of the Poenitentiaria, 10 March, 1886, to the effect that confessors are obliged not only to refuse absolution to penitents who refuse to avoid this sin for the future, but also to interrogate penitents whom they have reason to suspect as guilty. The Congregation explicitly rejects the suggestion that the confessor should remain silent in order to leave the penitent in " good faith ", as the supposed lesser of two evils. The most charitable explanation of the failure of some confessors to follow this authoritative direction is to be found in the hypothesis of ignorance. In view of the positive and unmistakable condemnation visited upon them in the Encyclical, they can no longer plead even this unworthy excuse. The Holy Father calls them " blind leaders of the blind; " henceforth their blindness will be deliberate and culpable.

According to several decisions of the same Congregation, a wife who would suffer grave inconvenience through refusal is permitted to consent reluctantly to what is known as onanistic intercourse. The statement in the Encyclical on this subject seems to be much more liberal, inasmuch as it does not restrict the permission to the wife alone nor to this particular method. The words used by the Holy Father to describe the sinful practice are " perversion of the right order ". Heretofore, the doctrine of the moral theologians has denied the lawfulness of " reluctant consent " in cases involving the use of chemical or mechanical instruments. A response of the Congregation of the Poenitentiaria, dated 6 June, 1916, specifically declares that in the latter cases, the wife may not consent even under duress, but is obliged to offer the same resistance that a virgin would offer to rape. If the statement in the Encyclical is

intended to abolish the distinction between the two general kinds of perverted intercourse, and to permit either husband or wife to consent reluctantly as an alternative to grave inconvenience, it obviously makes things much easier for right-minded husbands or wives who unfortunately have wrong-minded partners. If the Pope's words are to be taken in their full comprehension without qualification, they will be a source of great relief to many conscientious husbands, for example, those married to non-Catholics.

To those who are tempted to have recourse to birth-control practices because of "extreme want," Pope Pius addresses two observations. First, no condition whatever can justify an action which is evil intrinsically. Second, it is possible for husband and wife to observe continence, aided by Divine grace. To deny the latter proposition is to affirm the doctrine condemned by the Council of Trent, namely, that some precepts of God are impossible to keep. This error was repeated later on by the Jansenists and again condemned by the Church. The Pope's application of the doctrine, "God does not command the impossible," to parents in poverty who are terrified at the prospect of another child, may indeed seem "a hard saying," but if continence be too difficult, the alternative of additional children is not in any adequate sense of the term impracticable. Those who accept either alternative will be stronger in character, better citizens and vastly more in accord with the purposes of God, than parents who resort to birth-control practices.

STERILIZATION.—Many readers will recall the controversy on this subject which was conducted in some twenty-four articles in successive issues of the REVIEW, Volumes 42-47, during the years, 1910-1912. The great majority of those contributing declared that legal sterilization is intrinsically wrong. The minority maintained that it might become morally lawful on two conditions, namely, to prevent grave and widespread social evil and in the absence of any other adequate preventive. They contended, however, that neither of these conditions actually existed anywhere. In view of the explicit declaration in the Encyclical that "public magistrates have no direct power over the bodies of their subjects," and therefore

" can never directly harm or tamper with the body either for reasons of eugenics or for any other reasons," the minority opinion is no longer tenable. Sterilization is authoritatively declared to be intrinsically wrong. This declaration is one of the most practically beneficent in the whole Encyclical. Recent scientific opinion is, indeed, almost unanimous in rejecting sterilization as an effective preventive of feeblemindedness, but laws authorizing it are still on the statute books of many of our states and propaganda in its favor continues to be carried on by emotional persons who are ignorant of the most recent findings of science. Henceforth, Catholics will not be tempted to waste their time considering the alleged arguments offered by such persons. They will know that they are not permitted to promote such legislation, nor to take part in its execution.

MIXED MARRIAGES.—Some of the " forecasts " of the contents of the Encyclical informed us that it would contain a considerable revision of the discipline on mixed marriages. These guesses have turned out to be without any foundation. The Pope repeats the Canon on mixed marriages in the new Code and emphasizes the dangers of such unions through the Catholic parent's defection from the faith and through the failure of either or both parents to instruct and safeguard the children in the principles of Catholic faith and morals.

PREPARATION FOR MARRIAGE.—Under this head the Holy Father condemns the notion that a knowledge of natural sciences, such as biology and heredity, is sufficient " to curb carnal desires ". This condemnation is directly applicable to those shallow proposals for pre-marital instruction as all-sufficient for fidelity and happiness in wedlock. The Pope does indeed stress the necessity of preparation, even " in the souls of boys and girls during the period of childhood and adolescence," but his directions have more to do with the moral law than with physical sciences. He enjoins instruction in the sacramental character of marriage and in the concrete duties and difficulties which are inseparable from the conjugal union of persons possessing human nature. He insists, above all, upon training of the will rather than mere formation of the intellect. While not denying the importance of science and natural knowledge, he maintains that natural means by

themselves are insufficient. Like other precepts of the natural moral law, those governing marriage cannot adequately be known by reason alone nor adequately be fulfilled without the help of grace. The Pope emphasizes the primary importance of choosing the right kind of person for husband or wife, the need of careful deliberation before making the choice and the qualities that should be kept in mind as necessary in the prospective spouse. Those seeking a conjugal mate should not be moved by the "unrestrained impulse of lust nor by any desire of riches nor by any other base influence, but by a true and noble love and a sincere affection toward the future partner." Moreover, they should not, he says, fail to consult the advice and experience of their parents. Nowhere more frequently than in America are to be found Catholic married persons who have cause to regret their disregard of the prudent counsels here reaffirmed by the Holy Father. Too great haste, too little regard for parental advice, and above all, too much blind acceptance of the current fallacies about the value and durability of romantic love, are responsible for most of our unhappy marriages.

THE LIVING WAGE.—For those married persons who are "in straitened circumstances," the Holy Father recalls the teaching of Pope Leo XIII on economic justice and the living wage. "In the state," he says, "such economic and social methods should be set up as will enable every head of a family to earn as much as, according to his station in life, is necessary for himself, his wife and the rearing of his children, . . . nor is it lawful to fix such a scanty wage as will be insufficient for the upkeep of the family in the circumstances in which it is placed." Taken literally, the phrases about "station in life" and "circumstances" would imply that even those wage earners or salary receivers who have attained a standard of living considerably higher than that commonly associated with the concept of a living wage, may claim the higher remuneration as a matter of justice. It is probable, however, that these words are intended to be applied only to those who are on the living wage level, not to those obtaining more liberal remuneration; for Pius is evidently repeating the teaching of Leo XIII on this subject. There is, however, one respect in which he goes

beyond the author of the Encyclical on the Condition of Labor; at least, he makes explicit what was only implicit in that document. We recall the long discussion that followed the Encyclical *Rerum Novarum,* as to whether the wage which Pope Leo declared was due to the workers in justice, should be interpreted as remuneration sufficient for the laborer alone, or adequate to the upkeep of his wife and children as well. Pius XI explicitly condemns as unlawful a wage which is not sufficient for the family.

PRIVATE AND PUBLIC ASSISTANCE.—When for any reason families are unable to support themselves, Christian charity "absolutely demands" that "the rich should help the poor," that those having "an abundance of this world's goods" should "employ them for the support and wellbeing of those who lack the necessaries of life." This is a clear reassertion of the traditional Catholic doctrine that those who possess superfluous goods are under grave obligation to relieve those who are in grave need. In the distress now so prevalent in the United States, it is evident that many of the possessors of a surplus are failing to discharge this grave obligation, this "absolute command", to use the words of the Holy Father.

Continuing, the Holy Father declares that if private resources prove insufficient, it is the duty of the public authorities to supply for the deficiency and to "do their utmost to relieve the penury of the needy, considering such as one of the most important of their administrative duties". This principle would seem to justify public assistance in more than one of our states this winter. The Holy Father notes regretfully that, "through a certain inversion of the true order of things," public assistance is provided for unmarried mothers and their illegitimate offspring, while it is "denied to legitimate mothers or given sparingly, or almost grudgingly." This is a very pertinent observation. Moreover, it would seem to justify public maternity assistance, without, of course, specifying whether the aid should come from the local or the central authorities.

DIVORCE AND CIVIL MARRIAGE.—More than one-sixth of the space in the Encyclical is devoted directly or indirectly to the subject of divorce. Of course, it contains nothing new in

doctrine, but it does restate the ancient doctrine and its foundations in most impressive terms and meets the current arguments for divorce on their own ground and in the most concrete and up-to-date fashion. In the last few paragraphs of the Encyclical, the Holy Father points to the harm done by civil marriages, particularly through bad example, on account of their apparent authority. The state, he says, can greatly assist the Church in maintaining the integrity of marriage. He praises the provisions of the Lateran Pact in this regard, "which might well be an example and a demonstration to all, even in this, our own day (in which, sad to say, the absolute separation of the civil power from the Church and, indeed, from every religion, is so often taught). . . ." Here we have a commendation of union, or at least coöperative understanding, between Church and State and a condemnation of absolute separation.

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CANONICAL NOTES ON THE ENCYCLICAL LETTER ON CHRISTIAN MARRIAGE.

THE Encyclical Letter of Pope Pius XI on Christian Marriage is primarily doctrinal and moral. It discourses, however, not only on the nature of marriage but also on the rights and duties either surrounding it or rising out of it. Quite naturally these instructions lead more or less into the field of canon law.

The Code of Canon Law does not impose any new and specific regulations concerning the one point that is attracting the attention of the entire world to this encyclical. Canon 1110 merely restates the divine-natural laws that both husband and wife have the same right and duty in regard to the acts proper to married life. For the rest, it leaves the subject of these rights and duties and their perversion to moral theology.

VILE LITERATURE.—As one very prolific source leading up to the defilement of marriage and to other evils surrounding marriage to-day the Holy Father points out immoral books and indecent theatricals that are daily enticing even many Catholics. Countless books, too, assuming an air of scientific

dogmatism, and nearly every secular magazine, are bristling with bold attacks against the sanctity of marriage. These brazenly advocate a greater or lesser degree of birth control. There can be no doubt but that many of these books are forbidden, although they are not nominally placed on the Index. Of set purpose, many of these attack good morals and are therefore prohibited by the law itself.[1]

Moreover, these books as well as articles dealing with contraceptives and divorce may easily become a real danger to those who read them and are therefore forbidden by natural law.[2] It will above all be necessary to warn the faithful against the dangers lurking in this sort of publications and oblige our flocks to shun them in order to protect themselves against this soul poison. But the canker has already eaten very deeply even into the hearts of Catholics. It will be necessary to use extreme remedies and correct the false notions that have begun to obscure the light. It is no longer a time for reticence. It is true there are things pointed out in the recent encyclical that "ought not so much as be named" among Christians. But to justify silence regarding those matters with these words of the Apostle when the enemy is preaching them from the housetops and preaching them successfully, is the height of folly, cowardice and treason.

ABORTION.—While it is not the usual process, abortion is one of the means employed by some married people in their efforts to limit the number of their offspring, especially in those circumstances where, despite their unnatural use of marriage, they are "caught" and "by accident" the wife becomes pregnant. Canon 2350 punishes all who procure an abortion, including the mother, with excommunication incurred *ipso facto* and reserved to the Ordinary. Alas, this penalty, however, can scarcely be effective of good results, as it is rarely, if at all, incurred. For not only does ignorance and other cause excuse from this censure, but canonical interpretation limits the crime to a form now probably altogether out of vogue. The *ejectio fetus vivi* has given way to craniotomy

[1] "Ipso iure prohibentur: . . . 3°. Libri qui religionem aut bonos mores, data opera, impetunt, . . ."—Canon 1399.

[2] Cf. Canon 1405, § 1.

and other forms of killing the fetus in the womb of the mother. Although grievously sinful, this is not precisely the crime understood in Canon Law by abortion. It might be well in these circumstances to appeal to the Holy See for an extension of the law to make abortion embrace all forms of direct killing of the unborn child. Or might not our bishops establish a law to that effect? In this latter event, it were well that they all should proceed to one uniform law.

BLESSING OF CONJUGAL FAITH (BONUM FIDEI). — The Code also repeats the Catholic doctrine regarding the purpose, the unity and the indissolubility of Christian marriage. It lays down, too, the rules by which these are safeguarded or, if violated, punished, and establishes norms by which it is recognized whether and in how far they affect the validity of marriage itself. If any violations of marriage supervene after it has been contracted, they do not constitute a reason for invalidating or rescinding the marriage, once it has been validly contracted. But if both or even only one of the parties before marriage modifies his or her consent by some reservation that violates any of those characteristics, the marriage is not validly entered into.

In modern society there is little danger of any provision before the wedding that would militate against the unity of marriage, and there is little need therefore to dwell upon such perversions. Civilized society is in harmony with Catholic teaching, that marriage completely excludes the right of husband or wife to join with another in wedlock or extra-marital relations. Only if one of the parties before marriage reserved for himself or herself, or granted to his or her partner, a "right" to one or the other of these, would the marriage be invalid.

BLESSING OF OFFSPRING (BONUM PROLIS).—A more actual question rises when the perpetuity of marriage is considered. Not only after marriage has been contracted, but even before, those about to marry not infrequently determine not to use marriage in the manner ordained by God. As the Holy Father points out, any perversion of the marriage rights and duties that would frustrate the final purpose of the marriage act is always unlawful. But does such a sinful course invalidate a

marriage? And if so, in how far? It goes with saying, if this sinful practice is started only after marriage, without any reservation having been made before the marriage was contracted, it would not dissolve a validly contracted marriage. But to-day it occurs quite often that even before the marriage those about to enter wedlock either individually make up their minds or even mutually agree that in marriage they will take "precautions" not to have any children at all, or, what is oftener the case, to have only a certain number and under certain conditions. Such an intention can so modify the matrimonial consent that the latter is substantially vitiated and the marriage itself is rendered invalid. For if by such an intention or agreement the parties or even only one of them so restricts the rights and duties to be conferred upon each other that they do not bind themselves and do not bestow upon their partner the right to the marriage act in such a way that procreation can take place, the matrimonial consent is substantially altered and will not effect a valid marriage. This is certain from Canon 1086 § 2,[3] if the right to the proper use of marriage is entirely excluded; it is probable that the marriage is invalid even if the right and duty to the marriage act is only limited.

Nevertheless, if the intention or the agreement itself does not positively exclude the right and the duty to the proper marriage, but merely constitutes a determination to defile marriage, it is indeed sinful in itself, and to contract marriage with such a purpose is sacrilegious. The marriage, however, would not be invalid. And here it will be well to warn priests against rashly concluding that a marriage contracted in such a frame of mind is invalid. In order that the matrimonial consent be vitiated in this respect it is necessary that the *right* to the proper use of marriage be *positively* excluded. It is safe to say that this positive and express exclusion rarely takes place. The distinction between merely intending to limit the number of children and positively excluding or restricting the mutual rights and duties in respect of the proper use of marriage, does not as a rule appear to enter into the minds of those to be married. The conclusion must therefore be that

[3] "At si alterutra vel utraque pars positivo voluntatis actu excludat . . . omne ius ad conjugalem actum . . . invalide contrahit."

ordinarily such an intention and such an understanding before marriage is merely a determination to violate the sacred rights and duties mutually given and assumed. For the rest, the contracting parties, though guilty of sin, intend to contract a real marriage.

Moreover, for practical purposes of seeking an annulment it is well to bear in mind that an evil intention or agreement is rarely, if at all, made in such a manner that, even when it does actually destroy the necessary matrimonial consent, it can be proved in the external forum. Perhaps this latter consideration, but not unlikely the former, indicates why of the six cases entered on this plea and tried by the Rota in 1929 five were decided unfavorably. In only one was the marriage declared invalid on account of lack of censent, because the "blessing of offspring" (*bonum prolis*) was excluded.[4]

BLESSING OF THE SACRAMENT (BONUM SACRAMENTI).—In like manner, the indissolubility of marriage requires that no intention to divorce a partner sway the mind of either party at the time the marriage is contracted. The increased divorces among non-Catholics, especially in the United States, have raised the question whether the validity of their marriages cannot be questioned on this score. Here again one must not let his imagination run riot. The belief in divorce alone, as it is prevalent among non-Catholics, is no gauge of the point in question. It is necessary, as Canon 1086 § 2 [5] again states, that indissolubility, which, according to Canon 1013 § 2, is one of the essential properties of marriage, be *positively excluded*. It is true, the positive exclusion of indissolubility does not require an express reservation of the right to divorce, but it does demand that the *intention* to seek or grant a divorce be positively made. As the Holy See has on numerous occasions declared, belief in divorce is not sufficient to invalidate a marriage entered into with that concomitant error. Nor is that belief of itself sufficient to presume existence of the intention to seek or grant divorce. Still less can it be the basis for

[4] Cf. "Causae in Tribunali Sacrae Romanae Rotae actae anno 1929, quarum definitiva sententia editur tantum in parte dispositiva."—*Acta Apostolicae Sedis*, XXII (1930), 177-190. In case No. L, the invalidity was recognized; in cases NN. II, XI, XXXIV, XLV, LVI, invalidity was not sustained.

[5] "At si alterutra vel utraque pars positivo voluntatis actu excludit . . essentialem aliquam matrimonii proprietatem, invalide contrahit."

a general presumption that non-Catholics do marry with that intention. Although they believe in divorce, nevertheless they do not, as a rule, in the giving of the matrimonial consent express such an intention. One has no reason to suppose that they have ever actually made up their mind to seek divorce in given circumstances. They are so sure of themselves and of their chosen partner that it does not occur to them to form such an intention. Indeed, for the vast majority of couples there is reason to suppose that they would feel unfaithful to their prospective husband or wife if they harbored any such intention. Divorce may be well enough for those who need it, but there is not going to be any need of it for themselves.

THE SACRAMENT OF MARRIAGE.—Since it is the very contract of marriage that Christ has raised to the dignity of a Sacrament of the New Law, no marriage between Christians can be entered into without its being a Sacrament. A positive intention not to confer and receive the Sacrament of Matrimony, when both parties are baptized, will render the matrimonial consent invalid, so that not only is the Sacrament of Matrimony not conferred and received, but the matrimonial contract is not ratified.[6]

COMPANIONATE MARRIAGE is just a misnomer. It is not a valid matrimonial contract, seeing that it always excludes indissolubility and usually the mutual rights and duties of true wedlock.

DIVORCE.—Since marriage is indissoluble, divorce is by that very fact proscribed. This is absolute in the case of a marriage between two baptized persons which has been consummated by intercourse. In certain other cases divorce (the complete severing of the marriage bond with the freedom of the parties to contract a new marriage) is possible.

NON-CONSUMMATED MARRIAGE DISSOLVED BY SOLEMN PROFESSION. If one of the parties to a marriage between two baptized persons or between a baptized and a non-baptized person enters a religious order and takes solemn vows before consummating the marriage, the bond of marriage is dissolved by the fact of this solemn profession (Canon 1119). Since,

[6] Canon 1012, § 2.

however, in virtue of Canon 542, N. 1, a person still bound by a valid marriage cannot validly be admitted to the novitiate, the dissolution of a non-consummated marriage by the solemn profession of one of the parties is made more difficult, and perhaps with the dispensation from the impediment to reception into the novitiate the Holy See will also provide that the other party will not be compelled to wait four years, the usual period, until the first party takes solemn vows and thereby frees the other from the marriage.

DISSOLUTION OF NON-CONSUMMATED MARRIAGE BY PAPAL DISPENSATION.—A marriage between two baptized persons or between a baptized and a non-baptized person which has never been consummated by even one complete marriage act, can be dissolved by Apostolic power. A severe process, however, which can be instituted only with permission of the Congregation of Sacraments (Canon 1963 § 1) must establish beyond all doubt the fact that the marriage was never consummated.[7]

PAULINE PRIVILEGE.—Finally, a marriage contracted by two non-baptized persons can be dissolved in virtue of the concession promulgated by the Apostle of the Gentiles,[8] and styled for him the Pauline Privilege. If one of the parties to such a marriage is converted and baptized, while the other remains unbaptized and refuses to cohabit with the other peacefully and without offence to God, the convert may contract another marriage and by this new marriage the previous marriage is dissolved.[9]

ANNULMENTS.—At this place it will not be amiss to warn against frequent recourse to annulment. The notoriety that has been given a few recent cases has raised the cry from non-Catholics that, while the Church repudiates divorce, she obligingly offers a ready and convenient substitute in the form of annulment. A recent novel lets a Catholic, a convert, endeavor to inveigle into an annulment another's Catholic wife

[7] Canons 1119, 1973, 1975; S. C. de Sacr., decretum "de processibus in causis dispensationis super matrimonio rato et non-consummato", 7 May, 1923—*Acta Apostolicae Sedis*, XV (1923), 389-436; "Normae observandae in processibus super matrimonio rato et non consummato ad praecavendam dolosam personarum substitutionem", 27 March, 1929—*op. cit.*, XXI (1929), 490-493.

[8] I Cor. 7: 12-15.

[9] Canons 1120-1127.

whom he sought to seduce under that pretext and who for a time was falling a victim to his wiles, until she recognized the snare. Sometimes one wonders whether even earnest and sincere Catholics may not have been beguiled into that error. For example, when speaking of the Middle Ages, even Belloc ventures the charge that

> now all this [seeking and granting annulments], of course, in the case of the powerful people who so acted, was in the great majority of cases, a piece of hypocrisy. And in the great majority of them the ecclesiastical courts (and in particular the Papal court) which decided in favor of the nullity were equally guilty of hypocrisy. It was a subterfuge and a sham.[10]

One fears that to some extent some few priests may lend weight to charges of this sort by their ill-placed zeal. If a Catholic's marriage has proved a failure, or if one desires to marry a divorced person, or especially if a Catholic is joined in civil marriage after divorce and wants to return to his duties as a Catholic, certain priests show all too great an eagerness to ferret out some impediment; and, what is worse, if in their all too meagre knowledge of Canon Law they discover the remotest appearance of a reason, they hastily give the fullest assurance that the first marriage is certainly invalid and that an annulment can just as certainly be obtained very easily and on short notice. And the result? Not only are the parties chagrined at the slow progress made in the ecclesiastical court, but they are entirely disappointed with its adverse sentence. Not rarely does it happen, too, that, owing to the priest's assurance of a successful issue, they are alienated from the Church by its severe procedure and its stern justice or even, having fostered a friendship that has grown into too strong an attachment to be broken off, they launch out upon a civil marriage which they would have abhorred, if they had not been encouraged by a well-meaning priest. They realize too late that they never had a case. Another, though less serious, mistake that priests may make is in assuring the parties that a decision can be expected within a very short time, say, within a month or two. They overlook the fact that the two trials always required, except in the cases coming under Canon

[10] Hilaire Belloc, *Wolsey* (Philadelphia: J. B. Lippincott Co., 1930), p. 234.

1990, take not a little time and that moreover usually every diocesan tribunal is occupied with other cases that demand its attention, to say nothing of the fact that nearly all the officials are occupied with many other duties. The same is true of the Roman tribunals, with the additional delay due to distance and drawn-out communication.

Instead of such assurances of an early decision, a better policy would be to examine the case first and all the evidence that can be obtained. This is preferably done by a priest well versed in Canon Law. Even if then the prospects of success are good enough to warrant the formal request for annulment, it will be best not to raise hopes too high. A successful issue will satisfy the parties completely, and failure will not disappoint and depress them unduly. Even where an annulment seems certain, it will furthermore be always in place to warn them against expecting an early decision.

MIXED MARRIAGES.—As one of the reasons why mixed marriages are contracted, our Holy Father points to the ever growing trend of secularizing marriage. Although Catholics do not commit themselves to this false doctrine, they nevertheless do to some extent fall in with that trend. They moreover fail to realize the reasons that prompted Holy Mother Church in her tender solicitude to establish the two impediments against such unions, viz., the merely prohibitive impediment of "mixed religion", and the diriment impediment of "disparity of cult". There is no need at this time to enter into those reasons. They are too well known. However, it is well to direct our attention to the duties of pastors in this relation.

Canon 1018 obliges every pastor to instruct his people concerning the Sacrament of Matrimony and the impediments to it. Catechetical instruction in the elementary school—and very many of the faithful do not go beyond the grade school—to some degree meets this obligation. But for obvious reasons immature children cannot be sufficiently enlightened on this momentous question. Further instructions in sermons, at conferences, retreats, missions and the like, are plainly necessary to supplement and complete the very elementary catechetical instruction of the elementary school. Furthermore, Canon

1064 imposes certain duties upon bishops and pastors in order to forestall mixed marriages entirely or to guard against the evils that threaten those that cannot be prevented. In the first place the faithful are to be deterred as far as possible from mixed marriages. They should above all be made to understand not only that the Church forbids such marriages but also what reasons prompt this prohibition. For this reason, the Fathers of the Second Plenary Council of Baltimore (section 336) urged all pastors

> . . . ut semel saltem in anno, tempore praesertim Adventus vel Quadragesimae, gravi sermone greges sibi commissos mala quae ex iis [matrimoniis mixtis] pullulant edoceant, simulque fidei pericula indicent, quae tum sponso Catholico, tum proli suscipiendae imminent; gravissima ostendentes fuisse rationum momenta quibus permota Christi Ecclesia id genus nuptias acriter semper vetuerit, ac etiamnum vetet.

In how many parishes do the faithful hear a sermon on this topic even once a year!

The same canon obliges bishops and pastors to see to it that, if mixed marriages cannot be altogether stopped, they are not contracted unlawfully. A kind and forbearing mother, ". . . the Church"—our Holy Father sadly admits—"occasionally on account of circumstances does not refuse a dispensation from these strict laws. . . ." This loving condescension of the Church differs vastly from that stern proposal suggested in certain quarters and sometimes, we are told, put into practice by a few pastors, that would unswervingly deny every dispensation for a mixed marriage. Such a procedure would indeed put an abrupt stop to valid mixed marriages. But would it prevent Catholics from uniting with non-Catholics in civil marriage or before a minister? Must not the evils rising out of such unions necessarily become greater and the losses more certain? The experience of many centuries bids the Church not to adopt a course so drastic. But even when she dispenses, she seeks safeguards which will warrant the well-founded hope that the evils of mixed marriage will be reduced to a minimum. This demands the whole-hearted coöperation of pastors, not only at the celebration of the mixed marriage but afterward as well. Many pastors are wanting in this very

matter. They fail to see to it, when they ask for a dispensation, that the requirements of Canon 1061 are fully complied with. Not much can be said about the existence of a sufficient cause. Once a Catholic has lost his heart to a non-Catholic, the pastor will usually be compelled to admit with a heavy heart that, even if the Catholic has heretofore been an example to the parish, there is real danger that the attachment will lead to a marriage outside the Church if the dispensation be refused. What about the promises, however? There is no valid reason for assuming that in all or practically all cases the non-Catholic is not sincere in giving those promises. Even the failure of so many to live up to them can be explained in another way. Owing partly to the fact that only later do they wake up to the full import of those promises, and partly to outside influences, many change their mind and prove unfaithful to their solemn promises. Still, there are not a few cases where the pastor must realize that there is no hope or, as Canon 1061 § 1 N. 1 expresses it, no "moral certainty" that the signed promises will be kept. Is such a pastor faithful to his trust, if he presents those promises without a word of comment to the Ordinary who places his confidence in the pastor's solicitude?

Finally, Canon 1064 bids bishops and pastors to see to it that, after a mixed marriage has properly been entered into, the promises be fulfilled. Zealous pastors who have a vigilant care for those of their flock placed in the difficult position of a mixed marriage assure us that the entire loss of the faith of the Catholic spouse or of the children born of a mixed marriage can and is reduced to a minimum. Is that not convincing proof of the prudence of the Church in granting dispensations for mixed marriages, provided the watchmen in Israel will stand guard every moment of the day? Is that not a strong motive for urging a practice more fully in harmony with the law and the practice of the Church in dealing with mixed marriage, instead of advocating a harsh and indiscriminate refusal of all dispensations for mixed marriages?

Our Holy Father has given us an inspiring example of courageous zeal and unmistakable frankness that has struck awe into all, even those that disagree with him. In the face of our first pastor's example every priest must be roused to

take up the cudgels against the many enemies that assail Christianity and are working ever in our midst. Reticence must be a thing of the past. Even though we still must cling to the traditional practice of the Church in sparing the young too early an initiation into the mysteries of sex, we must not conceal the fact that, long before the age for marrying, adolescents often learn from an unholy source the evil practices which our Holy Father condemns. It is likewise true that education does not of itself spell salvation from the many evils surrounding marriage to-day. But education in the truth must undo falsehood in order that the evil practices which false prophets are inculcating may give way to wholesome practices in the lawful use of marriage. It will not be enough to praise our chief pastor's latest pronouncement or even to put it into the hands of the faithful. Guided and encouraged by the example of the Pope, every priest must in the pulpit, in the confessional, and in every manner open to him, dispel the errors that are prevalent in the world so that we may lead the faithful successfully through the dangers that threaten on all sides. Priests will explain to the faithful the true dignity and noble duties of holy matrimony and assist them to a generous and wholehearted service of the Almighty in promoting His work in the human family.

VALENTINE SCHAAF, O.F.M.

MORE WRONG DISPENSATIONS.

IN the February issue of this REVIEW I undertook to show that a pure *mixtae religionis* dispensation is entirely out of order where the non-Catholic concerned is a Baptist, because Baptist baptism on investigation is found to be actually invalid. I will now endeavor to point out why Presbyterian baptism is at least presumptively invalid. So, mere *mixtae religionis* dispensations issued for Presbyterians to marry Catholics must bring about invalid marriages, unless in individual instances the presumption should yield to the contrary certainty.

The gist of the decrees analyzed in the former article was that Protestant baptisms are to be judged by the actual practice of the given denomination and that this practice can be largely learned from the ritual of baptism used. Now the ritual test

of baptism comes under the classical expression given the more general principle by Pope Leo XIII in condemning Anglican Orders. That Pope thus expounds the doctrine of heretical ritual:

> The Church does not judge about the mind and intention, in so far as it is something by its nature internal; but in so far as it is manifested externally, she is bound to judge concerning it. When anyone has rightly and seriously made use of the due form and matter requisite for effecting or conferring a sacrament, he is considered by that very fact to do what the Church does. On this principle rests the doctrine that a sacrament is truly conferred by the ministry of one who is a heretic or unbaptized, provided the Catholic rite is employed. On the other hand, if the rite be changed, with the manifest intention of introducing another rite not approved by the Church and of rejecting what, by the institution of Christ, belongs to the nature of the sacrament, then it is clear that not only is the necessary intention wanting to the sacrament, but that the intention is adverse to and destructive of the sacrament.

Our question of fact, therefore, is twofold. Have the Presbyterians a baptismal ritual of their own? And was this ritual drawn up with the intention of rejecting anything that is essential to baptism?

We shall restrict our inquiries to the Presbyterians of the North, officially known as the Presbyterians, U.S.A. We do this because only the Presbyterians, U.S.A., have a written ritual, and the printed book will facilitate investigation. There are indications, however, that the Presbyterians of the South use an informal ritual in substantial agreement with the formal ritual used by the Presbyterians of the North. And there are further indications that this formal ritual attempts to particularize the lines of general action laid down in the traditional *Directory for Worship,* which was an adaptation by the first Presbyterians of Scotland of the *Book of Common Order,* earlier used by the Calvinists of the Continent. Yet what the Presbyterians did in the manner of baptizing in other times and places is a subject of historic interest and beyond the present inquiry. All we are intent upon finding out is the kind of ritual the Presbyterians of the North are now using and the extent to which they are using it.

The Presbyterian ritual now in use has had this history. The 1903 General Assembly of the Presbyterian Church in the United States of America, appointed a committee of ministers and elders, headed by Henry Van Dyke, to prepare, "in harmony with the *Directory for Worship, a Book of Simple Forms and Services,* proper and helpful for voluntary use in Presbyterian churches, in the celebration of the Sacraments, in Marriages and Funerals and in the Conduct of Public Worship". The committee carried on its work for more than two years, and in the meantime its principles were approved by two successive Assemblies and its work ordered completed by the Assembly of 1905. The work was published that same year under the title, *The Book of Common Worship.*

True, the Book states that it is for voluntary use; but the truth is that the order for baptism is very generally followed. The exceptions would be those ministers who might improvize their own forms in whole or in part; yet even these forms would be one in doctrinal tenor with those of the Book. Besides, the extent of the use of the baptismal ritual about to be considered is a thing that need not delay us, for it is a matter of easy verification in any locality. But the nature of the ritual is something that does deserve very minute attention. Its heretical character has to be established before any adverse presumptions can be entertained about the baptisms conferred under it.

The alleged heretical character of this ritual will be readily conceded once its intent to reject regenerative baptism is revealed. But before setting forth the distinctive words of the ritual we must review the Presbyterian doctrine on salvation, faith, church and sacraments. For it was a Presbyterian rite of baptism that the General Assemblies through their committee undertook to compose. Hence the rite thus composed is to be construed in the light of Presbyterian teaching, not in the sense of Catholic or even Anglican teaching. Three paragraphs, taken from *A Brief Statement of the Reformed Faith* adopted by the Assembly of 1902, a year before the *Book of Common Worship* was decided upon, will be sufficient to indicate the mind of the makers of this Book on such cognate subjects as Salvation, Faith, Church and Sacraments.

The first paragraph of that *Brief Statement* is incorporated in Article VII and bears the heading, "Of Election":

We believe that God, from the beginning, in His own good pleasure, gave His Son a people, an innumerable multitude, chosen in Christ unto holiness, service and salvation; we believe that all who come to the years of discretion can receive this salvation only through faith and repentance; and we believe that all who die in infancy, and all others given by the Father to the Son who are beyond the reach of the outward means of grace, are regenerated and saved by Christ through the Spirit, who works when and where and how He pleases.

The second paragraph of that *Brief* deals with the sole means of sanctification and comes under Article IX entitled "Of Faith and Repentance":

We believe that God pardons our sins and accepts us as righteous solely on the ground of the perfect obedience and sacrifice of Christ, received by faith alone; and that this saving faith is always accompanied by repentance, wherein we confess and forsake our sins with purpose of, and endeavor after, a new obedience to God.

The third paragraph, subdivided, bears the title "Of the Church and the Sacraments" and comprises Article XIV:

We believe in the Holy Catholic Church, of which Christ is the only Head. We believe that the Church Invisible consists of all the redeemed, and that the Church Visible embraces all who profess the true religion together with their children. We receive to our communion all who confess and obey Christ as their Divine Lord and Saviour, and we hold fellowship with all believers in Him.

We receive the Sacraments of Baptism and the Lord's Supper, alone divinely established and committed to the Church, together with the Word, as means of grace; made effectual only by the Holy Spirit, and always to be used by Christians with prayer and praise to God.

In none of the three foregoing paragraphs do we discover anything that even remotely implies regenerative baptism. But we do discover a thought running through them all which excludes regenerative baptism. That thought is saving faith preceded by election. The nature of baptism is as effectively rejected from these pronouncements as was the nature of the Mass taken from the Lord's Supper by the first Reformers. And these doctrinal trends, proclaimed by the Presbyterians at the time of the making of *The Book of Common Worship,*

must be kept in mind as we read the baptismal parts of that ritual. To do otherwise would be to make no account of the historical element in interpreting those baptismal forms, the very element that Pope Leo XIII laid under such contribution in determining the heretical animus of the Anglican Ordinal and the element the Holy Office had so largely utilized three centuries and a half before.

The Presbyterian Baptismal Ritual.

Now to the ritual itself. On page forty of the *Book of Common Worship* we find the ceremonies of baptism. The title reads, "The Order for the Administration of Baptism to Infants". Two rubrics culled from *The Directory for Worship* precede the introductory prayer. The first prescribes that baptism is not to be unnecessarily delayed, nor is it in any case to be administered by a private person. The second notes that baptism is generally to be administered in the church and before the congregation. In exceptional cases the minister will judge of the expediency of administering it elsewhere. Then in the shape of a rubric follows a third italicized paragraph to the effect that when the child is presented for baptism, as previously arranged for, by one or both of the parents, the minister is to begin his address in this wise:

> Dearly beloved, Almighty God, who has called us into His Church, has promised to be our God, and also the God and Father of our children; which covenant He renews in this Sacrament of Baptism given to us and to our children, as a sign and seal of the washing away of our sins and our ingrafting into Christ. St. Paul assures us that the children of the faithful are to be numbered among the holy people of God. Our Saviour also, in the Gospel, calls the children unto Him, and blesses them, saying: Suffer the little children to come unto Me, and forbid them not; for of such is the Kingdom of God.
>
> Forasmuch as you desire and claim these blessings for your Child, you will now engage, on your part, to perform those things which God requires of you, that the good will and pleasure of your Heavenly Father may not be hidden from your Child.

This paragraph does not, as does the similar part of the Anglican ritual, declare that the child is going to be made a child of God by the impending Sacrament of Baptism. It

says on the contrary that baptism is a renewal of a covenant previously entered into, and that instead of effecting regeneration baptism is a sign and seal of regeneration otherwise brought about. This heresy is more clearly expressed by the version of this prayer in the new edition of the ritual now under consideration. The part of the new version bearing on this point reads:

Beloved in Christ: Baptism is a sacrament given by our Lord to His Church as a sign and seal of the remission of sins and of our union with Christ. It is to be administered not only to believers but also to their children, to signify their membership in the household of faith.

Then follow the two questions to the parents:

Do you accept, for yourself and for your Child, the covenant of God, and therein consecrate your Child to Him?

I do.

Do you promise to instruct your Child in the principles of our holy religion, as contained in the Scriptures, to pray with *him* and for *him*, and to bring *him* up in the nurture and the admonition of the Lord?

I do.

The first of these questions is incomprehensible in a Catholic understanding of baptism. And the prayer that succeeds and is the very last thing the minister utters before pouring or sprinkling the water and before pronouncing the correct sacramental form, is immensely different from the several prayers here said in the Anglican ritual. These latter continuously iterate the thought that the child is going to be born again by being baptized. But no such thought could be rightly gotten out of the twofold paragraph:

Grant, O Lord, to these Thy servants grace to perform the things which they have promised before Thee.

And sanctify with Thy Spirit this Child now to be baptized according to Thy Word; through Christ our Lord. Amen.

I admit that the expression, "sanctify with Thy Spirit," etc., could be given a Catholic meaning. But the context and scope prevent any such construction.

Before giving the relatively long prayer that comes immediately after the act of baptizing, it will be well to quote the address which the new edition inserts at this place. That address runs:

This Child, thus acknowledged as a member of Christ's Church, is commended to your love and care. Whosoever shall receive one such little one in My Name receiveth Me.

Here it is quite pertinent to remark that the child could not be acknowledged as a member of Christ's Church by baptism, unless before his baptism he had had membership in that body.

But the prayer in full, with its very obvious implications of heretical baptism, reads:

Let us pray:

Most holy and merciful Father, we give Thee hearty thanks that Thou has numbered us amongst Thy people, and dost also call our children unto Thee, marking them with this Sacrament, as a singular token and badge of Thy love. Wherefore, we beseech Thee to confirm Thy favor more and more toward us, and to take into Thy tuition and defence *this Child*, whom we offer and present unto Thee with common supplications. Grant that *he* may know Thee *his* merciful Father, through Thy Holy Spirit working in *his* heart, and that *he* may not be ashamed to confess the faith of Christ crucified; but may continue His faithful soldier and servant, and so prevail against evil that in the end *he* may obtain the victory and be exalted into the liberty of Thy Kingdom; through Jesus Christ our Lord. Amen.

The Lord's Prayer is recited immediately after and the whole ceremonial concludes with the minister praying that "the grace of the Savior, and the love of God, and the communion of the Holy Ghost" be with them all. Three appended rubrics might well be transcribed, to be read in the Presbyterian sense in which they were conceived and not in the Catholic sense that could be given them in part, if they were found in a Catholic context.

Infants descending from parents, either both or but one of them professing faith in Christ and obedience to Him, are within the covenant of the promise, and are to be baptized.—*Larger Catechism*, 166.

The efficacy of Baptism is not tied to that moment of time wherein it is administered; yet, notwithstanding, by the right use of this

Sacrament the grace promised is not only offered, but really exhibited and conferred by the Holy Ghost, to such (whether of age or infants) as that grace belongeth unto, according to the counsel of God's own will, in His appointed time. Grace and salvation are, however, not so inseparably annexed unto Baptism as none can be regenerated or saved without it, or that all that are baptized are undoubtedly regenerated.—*Confession of Faith*, Chap. XXVIII, Nos. 5, 6.

When, by the death of the parents or otherwise, children are removed from their custody, the guardian or other person who has undertaken to rear them may present them for Baptism, provided he possesses the qualifications requisite for having his own children baptized, and is willing to assume the obligations made by parents in the foregoing service.—*Minutes of the Synod of 1786.*

But the ritual just reviewed is further interpreted by "The Order for the Confirmation of Baptismal Vows," beginning on page forty-seven of *The Book of Common Worship.* The minister, after announcing that the persons named are now presenting themselves after approval to confirm the vows made for them in Baptism, thus addresses those persons:

Dearly Beloved, in your Baptism you received the sign and seal of your engrafting into Christ, and were solemnly engaged to be the Lord's. And forasmuch as you now desire to confirm the covenant then made in your behalf, and to obey His commandment by confessing Him before men, you are to make answer faithfully to the following questions.

Do you here, in the presence of God and this congregation, confess Christ as your Lord, and adhere to that Christian faith wherein you were baptized?

I do.

Do you ratify and confirm the vows of your Baptism, and promise with God's help to serve the Lord, and keep His commandments all the days of your life?

I do.

The foregoing address and questions distinctly proclaim that there was a sign of regeneration given in baptism (not regeneration), and that pledges were made on that occasion. Therefore the person is asked to confess saving faith, so if he were not mysteriously regenerated in infancy and if he is predestined to membership in the Church Invisible, he may now become regenerate. He is asked also to ratify the promises

made in his behalf in infancy and to make such further promises as the receiving of the Lord's Supper entails. The three prayers that come after the promises have scarcely any bearing on baptism, but they do seem to constitute a sort of unconscious travesty on the Sacrament of Confirmation. One of the three concluding rubrics throws a parting light upon the whole nature of baptism as revealed in the two orders we have gone through. It is the first in order and is quoted from the commonly cited *Directory for Worship:*

> Children born within the pale of the visible Church, and dedicated to God in Baptism, are under the inspection and government of the Church; and are to be taught to read and repeat the Catechism, the Apostles' Creed, and the Lord's Prayer. They are to be taught to pray, to abhor sin, to fear God, and to obey the Lord Jesus Christ. And when they come to years of discretion, if they be free from scandal, appear sober and steady, and to have sufficient knowledge to discern the Lord's body, they ought to be informed it is their duty and privilege to come to the Lord's Supper.—*Directory of Service*, Chap. X, No. 1.

Take very careful note that it was the birth of such children from Christian parents that put them in the visible Church. Baptism only dedicated them to God; only symbolized their external union with God; membership in the invisible Church might come afterward, especially in adult years, upon their profession of faith—might come afterward; for election, not faith *ex opere operato,* would bestow membership in the invisible Church.

Here it might be asked, What is the Presbyterian order for the baptism of adults? To give anything like an extended analysis of it seems futile; for there is a great deal of duplication in the two orders. But several characteristic things in the adult order could with profit be touched upon. There is, to begin with, the rubric prescribing that "when unbaptized persons apply for admission into the Church, they shall, in ordinary cases after giving satisfaction with respect to their knowledge and piety, make a public profession of their faith in the presence of the congregation; and thereupon be baptized." And the introductory prayer might be cited in its entirety because it ends by clearly setting forth the symbolic nature of baptism:

Hear the Words of the Institution of his holy Sacrament, as delivered by our Lord and Saviour to His disciples, before His ascension to the right hand of God.

"All power is given unto Me in heaven and in earth. Go ye, therefore, and teach all nations, baptizing them in the Name of the Father, and of the Son, and of the Holy Ghost; teaching them to observe all things whatsoever I have commanded you; and lo, I am with you alway, even unto the end of the world."

Hence St. Peter, on the day of Pentecost, called upon the people, saying: "Repent, and be baptized, every one of you, in the Name of Jesus Christ, for the remission of sins, and ye shall receive the gift of the Holy Ghost. For the promise is unto you, and to your children, and to all that are afar off, even as many as the Lord our God shall call."

Doubt ye not, therefore, but earnestly believe, that He will number among His people *these* present Persons, truly repenting and coming unto Him by faith, and that this Baptism with water in His Name shall be unto *them* the sign and seal of the washing away of their sins, their engrafting into Christ, their regeneration by His Holy Spirit, and their engagement to be the Lord's.

Then the two pertinent questions require that the persons receive and profess the Christian faith before desiring to be baptized; that they confess their sins; turn from them and promise a sober, righteous and godly life through God's expected help. After baptism God is particularly thanked for having "given His servants shelter within the convenant and for having made them sit down at His Table". But a last brilliant ray of light is cast upon the kind of baptism that the ritual intends to have administered by this rubric:

Baptism is not to be administered to any that are out of the visible Church, and so strangers from the covenant of promise, till they profess their faith in Christ and obedience to Him.—*Larger Catechism*, 166.

There might still be some room for doubting the plain intent of the Presbyterian ritual of baptism to reject regenerative baptism and to substitute for it symbolic baptism. If this is true, it is because the limited citations cannot bring us into anything like the fulness of Presbyterian atmosphere. That would make the purpose and sense unchallengingly obvious. But these lesser doubts easily disappear when we consider

some letters recently received from ministers whom a local official of the Presbyterian church describes as " representative and nation-wide."

WORDS OF LEADING PRESBYTERIAN MINISTERS.

A New York City pastor expresses these views:

No Presbyterian minister ever signifies by the words of baptism any faith in the act as in itself bringing about regeneration. Section (b) represents their attitude far more nearly than section (a).[1]

According to the Presbyterian standards, a child baptized becomes by that act a member of the church, and, when he comes to the years of discretion, does not have to submit to the same sort of examination used in the case of unbaptized outsiders applying for admission; but is recognized as having a right to take his place in the rank of church members, and to assume for himself the duties and responsibilities taken for him by his parents in the act of baptism.

A minister in charge of a prominent New York State congregation says:

Neither of the paragraphs of your questionnaire seems to me to fit our understanding of the sacrament of baptism. Christian baptism is to us a symbolic act, signifying cleansing and consecration, the traditional form of initiation into Christian life. It signifies on the one hand the faith of the recipient to accept the grace of God in Jesus Christ with all that implies and also the determination of the recipient to live as a loyal servant of Christ and a worthy son of God in the spirit of reverent gratitude and humility. The person who would enter the fellowship of the Christian Church receives this rite.

A president of a Presbyterian theological seminary sums up thus:

[1] The reference is to the questionnaire sent him. The first part of that questionnaire had inquired about the ritual and the second part read: " Does either of the paragraphs following express the meaning that Presbyterian ministers, U. S. A., give the baptismal formula? (a) I wash (or sprinkle) you in water in the name of the Father and of the Son and of the Holy Ghost as the act of begetting you in Christ, or as the act of begetting you anew of water and the Holy Ghost. (b) I wash (or sprinkle) you in water in the name of the Father and of the Son and of the Holy Ghost as a sign of your membership in the External Covenant but not as a means of effecting your regeneration. (c) If neither of the above paragraphs expresses what you think most Presbyterian ministers give the baptismal formula, would you kindly sketch a paragraph that does?"

I think most Presbyterian ministers use either the Baptismal Ritual which you will find in our *Book of Common Worship* or a not very dissimilar one of their own writing. The form in the *Book of Common Worship* has been in usage since 1904 when that book was first printed, but it holds very fast to the older practices of the Church.

I take it that the Presbyterian Church believes that a child born within the pale of the Church because one or both of its parents are Christian, or because a grandparent or guardian is a Christian, has a birthright to a place in the Church. Baptism is the recognition on the part of the Church of the prior act of God in placing that child within the Christian fellowship. The symbol does not effect regeneration, but is a symbol of God's cleansing presence in the lives that bear His name and are reared in the fellowship of His Church.

A fourth minister, from one of the oldest congregations, writes:

I do not believe that either of the two paragraphs would accurately express what most Presbyterian ministers have in mind when they use the baptismal formula. I would suggest rather that the meaning to the Presbyterian minister of "I baptize you in the name of the Father and of the Son and of the Holy Ghost" is that it is a confirmatory sign of the covenant which you have made with Almighty God through his Son, Jesus Christ, and by the power of the Holy Ghost to become a true disciple of the Lord Jesus. Our Presbyterian system of faith, as you are doubtless aware, has made a great deal of the relationship of the covenant. We understand that a covenant is a mutual promise made by two or more persons and confirmed by some outward sign or seal. We regard the sacrament of baptism as the outward sign of an inward covenant between God and a repentant believer. The sign, of course, may be used, I regret to say, when a man who takes the covenant does not do his full part: he may not be honest. We regard it, however, to be the sign and seal, it is neither the cause of regeneration, nor the effect of it but the outward token of the saving faith on the part of the believer. When infants are baptized, we believe that their parents take the covenant for them, just as parents are permitted and obliged to make many choices for their children, our conception being that—when the child is of age he will be asked to ratify the covenant.

A Necessary Implication and its Grave Consequences.

We are taking for granted that those of our readers who have thus far followed the discussion agree that the Presbyterian ritual of baptism is heretical. If that proposition be denied, I am at a loss to conjecture on what grounds the Anglican Ordinal, even with its enlarged sacramental form, could have been condemned as heretical. For there were present in that Ordinal no verbal heresies, only an heretical animus pervading its scope, and cryptic heresies underlying words apparently Catholic. The Presbyterian ritual of baptism has all this and more. In addition, it possesses not a few expressions, and substantial expressions, that are patently heretical. But once this ritual is conceded to be heretical, there follows automatically a far-reaching implication: the baptisms conferred under it are presumed to be invalid. And a presumption is not destroyed nor is its effect suspended by the emergence of a contrary probability or even of contrary probabilities. Just as when the validity of a marriage is attacked, but the proofs fall short of establishing the invalidity, the court contents itself with responding that the invalidity has not been proved: so if the presumption of invalid Presbyterian baptism is rightly invoked, then in practice we act upon it in every case where the investigation demanded by the circumstances fails to make that presumption yield to certain fact. The consequences of this doctrine may be somewhat disturbing to those who have been engaged in the complacent task of trying to think facts out of existence.

There is first the reception of Presbyterian converts into the Church. If the inquiry called for by law does not reveal certain grounds for thinking the given baptism valid, that baptism must be presumed invalid and the convert baptized absolutely. A Presbyterian is marrying a Catholic. Instead of the plain *mixtae religionis* dispensation, the out-and-out *disparitas cultus* dispensation must regularly be issued. Then there are marriages of Catholics to Presbyterians that were contracted with only the *mixtae religionis* dispensation. Here there would seem to be quite a few validations to be made, either by renewals of consent or by *sanationes*. Lastly, there are marriage tangles in which one or more Presbyterians figure.

What prevents in very many of these cases the presumption of invalid Presbyterian baptism ministering to solutions that were formerly pronounced impossible?

But whether our proposition of heretical ritual with its implication of presumptively invalid baptism be granted or gainsaid, the contention should at least be the occasion of making matrimonial practice consistent with baptismal practice. Happily, conditional baptism has everywhere been given if the Protestant baptism was not known for a certainty to be valid. But things have not been that way in matrimonial practice. Where conditional baptism would be given a Protestant entering the Church, only a *mixtae religionis* dispensation would be given the same kind of Protestant marrying a Catholic. I recall that a certain diocesan official, after he was told by an expert on the strength of a snap judgment that the baptisms of a certain denomination were valid, because that sect used the right matter and form in baptizing, inaugurated an ox and ass baptismal procedure. Converts from that sect were to be conditionally baptized, but candidates for marriages with Catholics were to be dispensed with a pure *mixtae religionis* dispensation. It turns out moreover that the same denomination seems to have gotten away from even symbolic baptism and to have changed that sacrament into a habitual form of penance.

Even in denominations whose baptisms have a strong likelihood of validity, what justification is there for omitting to annex provisionally to the *mixtae religionis* dispensation the *disparitas cultus* dispensation? While there is no probability of such marriages being declared invalid because of unprovisional *mixtae religionis* dispensations, still there is the obligation to use all ordinary means to make the marriages actually as well as presumptively valid.

It appears to be time to relegate the ox and ass baptismal matrimonial procedure to the museum of obsolete ecclesiastical usages.

JOSEPH P. DONOVAN, C.M.
Kenrick Seminary, St. Louis, Missouri.

Studies and Conferences

Questions, the discussion of which is for the information of the general reader of the Department of Studies and Conferences, are answered in the order in which they reach us. The Editor cannot engage to reply to inquiries by private letter.

ADMINISTRATION OF THE SACRAMENTS TO DYING NON-CATHOLICS.

Qu. Recent discussions have brought out two divergent views about the baptism of non-Catholics, when unconscious, in adult life and of course at the hour of death. The first view deals cautiously with the matter, favoring the baptism of all who had led a good life. The other runs roughshod over all restrictions and conditions and permits one to baptize all, under the rule that Christ wills all to be saved, etc. Will you please set forth what seems proper in practice, especially for chaplains in hospitals? I should add that this question cannot be solved without stating how we are to know when these have lived good lives, etc.

Resp. This topic has been the subject of repeated discussion and there is little progress made toward a solution by instruction. Among those who incline to the view that, if a dying non-Catholic is unconscious, a priest may administer conditional Baptism, absolution and even Extreme Unction, every degree of generosity is to be found, including the giving of the benefit of the doubt to each one and every one.[1]

On the other hand, others hold a priest bound by Canon 732 and limit his administration of the sacraments to those unconscious dying non-Catholics who have given at least some probable sign of conversion.

So much has been written on this subject, without hope of bringing any generally acceptable conclusion, that it would serve no useful purpose to go over the grounds again. In these circumstances one cannot condemn priests who follow the more liberal view. Neither can one belittle as narrow-minded or uncharitable others who follow the injunction of Canon 732 and confer the sacraments only on those who have given some sign of desiring them. But the former must be on

[1] Cf. J. I. King, *The Administration of the Sacraments to Dying Non-Catholics* (Washington: Catholic University of America, 1924).

their guard lest they give scandal or offence and must not at all administer the sacraments even conditionally, unless it is quite certain that there is no hope of recovery for the dying person.[2]

THE FACTS IN "THE WRONG DISPENSATION: THE WRONG DECISION."

To the Editor, THE ECCLESIASTICAL REVIEW.

I do not intend to dispute Dr. Donovan's theory regarding the invalidity of Baptist Baptisms,[3] but I do wish to state the facts in the case as they really occurred. The pastor in question first submitted his case to the Ordinary of the Diocese, who then recommended that the case be submitted to the Matrimonial Court. The Court did not "promptly reject the petition on the monstrous grounds that Rome has repeatedly declared *all* Protestant Baptisms are valid *in ordine ad matrimonium.*" The Court informed the pastor "that in accordance with decisions emanating at different times from the Holy See, it would be necessary for you to establish the non-baptism of Jane Doe." This conclusion was drawn from a study of the sources of Canon 1070, § 2. The decisions of the Holy Office have stated time and again that a doubtful baptism is to be considered valid *in ordine ad matrimonium,* though the doubt would justify one in rebaptizing *sub conditione,* since Baptism is a *Sacramentum necessitatis.*

The parties concerned in the case admitted that the matter and form of the baptism in question had been rightly placed. Even Doctor Donovan quotes *Baptist Beliefs* to the effect that, "Baptism is an ordinance of Jesus Christ established for perpetual observance by his people. Every believer or regenerate person is under obligation to submit to this ordinance." Again he quotes the Baptist formula of Baptism, "Upon this confession of thy faith and in obedience to our Lord's command, I do now baptize thee into the name of the Father and of the Son and of the Holy Ghost, Amen."

The minister who had baptized the lady in the case was dead, and could not be questioned. Hence the Matrimonial

[2] Cf. Canon 750, § 1.

[3] Cf. ECCL. REVIEW, February, 1931.

Court, in the light of the above-mentioned facts, had no choice but to say that the baptism in question was at least doubtfully valid, and consequently had to be considered as valid *in ordine ad matrimonium.* I leave it to the readers of your esteemed REVIEW to decide whether such a course of action "is not to use judicial powers discreetly, but to lay claim to super-legislative powers".

OFFICIALIS.

TRAMPS AT THE PRIEST'S FRONT DOOR.

To the Editor, THE ECCLESIASTICAL REVIEW.

We were pleased to find that you discussed the question of the tramp at the priest's front door in your December and January numbers. It seems to me that everywhere we priests divide into two camps on this issue,though we do not seem to take the trouble to find where lies the truth.

Father Spalding tells of the bishop who preferred to be fooled many times rather than turn one deserving petitioner from the door. That is a common argument based on a definite principle, but the writer dismisses the argument by merely stating the objection.

If St. Vincent was an avowed enemy of all tramps, was he also the avowed enemy of all transients?

We have just been telling the people the fine story about there being no room for Mary and Joseph at the inn. If they were not transients, the private families who must have turned them away, did so, no doubt, because they had all the earmarks of transients. At least they must have been transients by the time they reached Egypt, and perhaps begged for lodging.

In the Valley of Josaphat, about the only issue in the eyes of the Judge will be: When I was hungry you gave me not to eat, etc.

JAMES E. COLLINS

Salt Lake City, Utah.

FAMILY LOT IN CEMETERY OF ANOTHER PARISH.

Qu. John is a member of St. Bernard's parish, but owns a burial lot in the cemetery belonging to St. Edward's parish. Upon the death of John, who is entitled to Christian burial, has he a right to burial in St. Edward's Cemetery and has his proper pastor of St. Bernard's the right to conduct the burial service, according to the Ritual, in St. Edward's Cemetery, or must the permission of the pastor of St. Edward's be first obtained?

Resp. FAMILY LOTS. Canon 1209 permits that "in parochial cemeteries, with the written permission of the Ordinary or his delegate . . . the faithful may erect special graves for themselves and theirs; . . ." This law fully warrants the acquisition by the faithful of reserved plots for themselves and their families in parish cemeteries, as is customary in this country. However, the written permission of the local Ordinary or his delegate is required.

Must this written permission be obtained for each case? The Code is not explicit on this point. It seems that a general permission authorizing the pastor to dispose of family burial plots in the cemetery of his parish would suffice.

If the permission of the Ordinary or his delegate had not been obtained, it seems that the reservation of the right to the plot would not be valid, since it is granted by one not empowered to do so. The provision that the Ordinary's permission be given *in writing* does not oblige under pain of invalidity. It is rather intended as affording better evidence that the permission was obtained.[1]

No doubt there have been many cases in this country in which burial plots in Catholic cemeteries have been assigned to private individuals and to families without special permission for each case. This does not necessarily warrant the conclusion that the concessions were invalid. For the Second Plenary Council of Baltimore, N. 393, speaks in a manner that can be interpreted as a general permission which might suffice. Besides, the fact that our Bishops, who are fully aware of the practice, tacitly approve it, seems to argue for permission.

[1] Matthaeus a Coronata, *De Locis et Temporibus Sacris* (Turin: Peter Marietti, 1922), p. 143; A. de Meester, *Juris Canonici et Juris Canonico-Civilis Compendium* (nova ed., Bruges: Desclee de Brouwer et Cie, 1926), tom. II, pars I, p. 91.

Even granted that such concessions were invalid, the cemetery cannot simply repudiate them. For it will have to be presumed that the faithful acted in good faith when acquiring such reserved burial plots. Nor will the cemetery be obliged to have the concessions which it made unlawfully, revalidated by obtaining the Ordinary's permission, or to make restitution. Now restitution *pro rata* according to the unused sections would not be sufficient; the fee is increased in view of the reservation. Nay more, the cemetery might be held liable for all expenses of transfer of the bodies already buried to a new family plot, since it was responsible for the invalid concession.

Finally, burial plots acquired for a family pass on to descendants of the original grantee or even to his heirs. For he is considered to have designated it for them.[2]

RIGHT TO BURIAL IN A FAMILY PLOT. If the deceased has received in one way or another legitimately a right to burial in a family plot, no further permission of the cemetery authorities is required (Can. 1209). On the contrary, neither the pastor nor any one else in charge of the cemetery has a right to refuse the burial in the family plot, but is obliged to permit it. The original concession obliges not only the person of the first grantor but his successors as well. The only exceptions to this rule are those recognized by Canon Law. In the first place the pastor has the right and also the duty of refusing burial in consecrated ground of one to whom Canon Law denies Christian burial—a case excluded by our inquirer. Canon 1209 makes two further exceptions. (1) If one has a right to burial in a family plot, but being free to choose, elects to be buried in some other place, he is to be buried there. (2) If he died at so great a distance that his remains cannot be conveniently brought to the cemetery in which his family plot is situated; for in this case he is to be interred in the cemetery of the parish where he died. (Can. 1218 § 2). But even in such a case the relatives may bring the remains to the family plot and then he is entitled to be buried there.

THE BURIAL SERVICE.[3] The exequies are to be celebrated in the church of the deceased's proper parish and by its pastor

[2] Many, *De Locis Sacris* (Paris: Letouzey et Ané, 1904), n. 165-166; P. Maroto, "De Axiomate 'Ubi Tumulus Ibi Funus'", *Apollinaris*, I (1928), 132-133.

[3] Not a few canonists held that under the former legislation the funeral Mass

(Can. 1230 § 1). And provided the remains can be conveniently transferred to the cemetery where they are to be buried, he has the right to accompany them. The pastor has the right in accordance with the liturgical rules, even though the cortege pass through another parish or diocese, and he can do this without the permission of the pastor or Ordinary. Therefore neither the local Ordinary nor the pastor has any right to interfere with that pastor's conducting the funeral to that cemetery.

The answer, then, to the above inquiry is first: (1) John has a strict right to be buried in the family plot in the cemetery of St. Edward's parish; and the pastor of that parish has no authority to deny him burial there. (2) The pastor of St. Bernard's has not only the right but also the duty of both celebrating the exequies in his own parish church and (if it can conveniently be done) of conducting John's remains to the cemetery of St. Edward's parish and there performing the burial rites; and the pastor of St. Edward's cannot lawfully interfere with these rites. Courtesy will bid the pastor of St. Bernard's to inform the pastor of St. Edward's in due time, especially since he will have to arrange for the digging of the grave, etc. If, however, the latter should endeavor to interfere with the rights of the former or of his deceased parishioner, the case ought to be presented to the local Ordinary, who will see to it that the pastor of St. Edward's observe the canonical provisions for such funerals, in order that offence and scandal be avoided at a time when relatives and friends will feel the affront more grievously.

VARIATIONS IN TEXT OF PUBLIC PRAYERS AND LITANIES.

Qu. I have noticed that there are variations in the form of the Prayers after Mass and in some litanies recited at public devotions. This is the case now and then in different dioceses, and sometimes in a church to which a number of priests are attached. Is there any authorized and approved translation of such prayers into English?

was to be held in the church where the deceased was to be buried. P. Maroto ("De Axiomate 'Ubi Tumulus Ibi Funus'", *Apollinaris,* I [1928], 22-35, 125-139, 263-279) and A. Vermeersch ("'Ubi tumulus ibi funus' Axioma", *Periodica,* XVI [1927], 57-66) show that such a rule was not generally accepted and certainly does not hold under the prevailing law.

If there is, should one feel obliged to use them? Comment on the matter is heard now and then among the laity.

Resp. That a translation of such prayers may be used and may obtain the same indulgences as the official Latin text, it is enough that the fidelity of the translation be guaranteed by the Sacred Penitentiary, or by the local Ordinary. See *Codex Juris Canonici,* Can. 934, § 2.

PURIFYING THE ALTAR LINENS.

Qu. When I was in the seminary the altar linens were given three washings. A neighboring priest tells me that one is now sufficient. Is he correct?

Resp. It is commendable, but not obligatory, to have the "sacred wash" purified in three different waters, by a person in sacred orders, before they are sent to the laundry.

This is the obvious meaning of Canon 1306, § 2: "Purificatoria, pallae et corporalia, in Missae Sacrificio adhibita, ne tradantur lavanda *nisi prius abluta fuerint* a clerico in majoribus ordinibus constituto; aqua autem *primae lotionis* mittatur in sacrarium vel, si hoc desit, in ignem."

The purification made by a cleric in sacred orders is called "prima lotio", in the singular. This "prima lotio" is sufficient, before the sacred linens are thoroughly washed by lay people.

THE BLESSING OF BAPTISMAL WATER.

Qu. The form of blessing baptismal water contained in Griffith's new *Ritual* states that the priest should pour Holy Oil into the water in the form of a cross. The text seems to indicate that the cross should be made three times. Is this correct? If it were done three times, it would require a relatively large quantity of Holy Oil.

Resp. The formula given in Griffith's new Ritual is the same as in the *Rituale Romanum* of 1925, Appendix, de Baptismo, "Benedictio Fontis seu Aquae Baptismalis". The rubric is clear beyond any doubt. The Oil and Chrism must be poured three times in the form of a cross, as indicated by the red crosses marked in the words "Pa ✠ tris, et Fi ✠ lii, et Spiritus ✠ Sancti." By proceeding cautiously the priest need not use a large quantity of oil.

REQUIEM MASS AND "INTENTIO DANTIS".

Qu. May a priest say the Missa Quotidiana, when the rubrics permit it, for any intention that he has received? If he may do so, does he read the three prayers prescribed?

Resp. Rigorously speaking, and if the person who offers the stipend does not expressly object to it, an intention "pro vivis" may be validly acquitted by a Requiem Mass, which will be the Missa Quotidiana with the three prayers given for it in the Missal. Prümmer's *Manuale Theologiae Moralis,* third edition, Vol. III, page 188, No. 268 says: "Theologi communiter docent, per Missam de Requiem satisfieri obligationem celebrandi pro vivis . . . *Non convenit autem* ut Missa de Requiem applicetur pro vivis, *nisi sit justa causa,* e.g. quia non proesto sunt nisi paramenta nigra."

USE OF COMMUNION PLATE.

Qu. May I make an inquiry regarding the Communion plate as required by Rome?

My altar boys had been instructed for some time to hold the Communion plate under the chin of the communicants, until I was informed that this is not permissible. Then I instructed the altar boy simply to carry the paten back to the other end of the Communion rail. An experience during distribution of Communion at the Christmas midnight Mass makes me doubt whether or not Rome means that altar boys are not allowed to hold the paten for each communicant. After many had been communicated, the paten was passed to a palsied person who shook so violently that his neighbor took hold of the paten to save any fragment from falling off the paten.

If the direction is mandatory that each communicant hold the paten, it was wrong for the person in question to help the poor man. If such assistance is not against the law, why should it be against the law for altar boys to hold the paten and thus avoid danger of abuse of the Sacrament? The intent of the law seems to me to be the guarding against the loss of any particle. We may distribute Communion without a server. If we have one, can he not more effectively serve the intent of the law by carrying the plate? What has THE ECCLESIASTICAL REVIEW to say on this point?

Resp. The regulation made by the Sacred Congregation "de Disciplina Sacramentorum" in its "Instructio" of 26 March, 1929, concerning the use of a paten for Communion, is expressed as follows:

In distribuenda fidelibus sacra Communione, . . . *patina erit adhibenda . . . quae ab ipsis fidelibus subter eorum mentum erit apponenda*, excepto casu quo sacra Eucharistia ab Episcopo ministratur, vel a Praelato Pontificalibus utente, vel in Missa solemni, adstante sacerdote vel diacono, qui patenam subter communicantium mentum teneat.

Monendi sedulo erunt fideles ne, *dum suo apponunt mento patinam*, et *Sacerdoti dein tradunt*, ita eam flectant aut invertant, ut, si quae adsunt, fragmenta decidant et dispergantur." (*Acta Apostolicae Sedis*, Vol. XXI, p. 638.)

This ordinance is a real law. What it prescribes mainly, however, is the use of a Communion paten. The manner of using it (i.e. whether the paten must be held by the communicants themselves or by the Mass server) would seem to be a secondary or accessory part of the precept. It would be lawful to disregard this secondary element whenever special circumstances seem to require that the paten should be held by the altar boy and not by the communicants themselves.

LENTEN ABSTINENCE FOR CHILDREN.

Qu. May children eat meat on ordinary days of Lent as often as they wish?

Resp. By the "ordinary" days of Lent are meant, supposedly, all days except Wednesdays and Ember Days, for these alone are both abstinence and fast days, and the abstinence binds all over seven years, independently of their obligation to fast.

As children are not under the law of fasting, and as the other "ordinary" days of Lent are days of fasting only, those not bound by the fast may eat meat as often as they wish, whether they be children or adults.

BANKS AND STOCK GAMBLERS.

Qu. A savings banks pays four per cent on deposits, and makes large profits. A group of stock speculators asks the banks to reduce its rate arbitrarily to three and one-half per cent, in order to attract money for the stock market. A Catholic director of the bank protests against the reduction, but the Board votes it over his protest. He asks his confessor if there is any color of wrongdoing from any standpoint in this arbitrary reduction of the interest rate.

Resp. There is color of wrongding in this matter. The bank is taking this one-half per cent without any reason, and is clearly taking an undue return in interest over and above the four per cent. The giving of part of it by the four-per-cent rate to the depositors was a legitimate disbursement to persons who had a right to secure this amount of interest at least, and perhaps more, in the sense that it would be lawful for them to receive more, rather than the bank.

There was presumably the original offer to the depositors that four per cent would be paid. Doubtless this was why the depositors selected this bank, as they may have been led to expect that four per cent would be paid indefinitely—or until the bank's earnings or some good banking reason no longer warranted this rate—and they are now deceived or deprived of the rate for no good reason at all.

Certainly the alleged motive in the case lends color of wrongdoing. Speculation, stock gambling, is not a morally good thing at best, and it certainly is a bad thing in many ways for the depositors who are usually modest savers. To tempt them into stock gambling is wrong.

The Catholic director, in this very unusual case, acted honorably and on right moral principles in opposing such a procedure. There is every reason, however, to believe that the incident as above stated never happened and that for obvious good business policy, as well as honesty. It is to be feared that some confusion has arisen in the outline of the case by our correspondent.

USE OF EASTER WATER.

Qu. I should be greatly obligated to you if you would explain the use of Easter water. Many people get a supply of this water on Holy Saturday, and use it in the ordinary way as Holy Water. I ask especially whether the indulgences granted for the devout use of Holy Water are connected with the use of Easter water.

Resp. It is true that the formula given in the Ritual or in the Missal for the blessing of ordinary Holy Water is very different from the long prayers of the Benedictio Fontis on Holy Saturday and on Pentecost eve. For the "Benedictio domorum in Sabbato Sancto et reliquo Tempore Paschali" the Roman Ritual prescribes the use of the so-called "Easter

water", i.e. of the water blessed at the "Benedictio Fontis" (and taken out of the baptismal font before the Oil of the Catechumens and Holy Chrism are mixed with it).

The Church uses this Easter water in the same manner and for the same purpose as ordinary Holy Water before the solemn Mass of Easter and Pentecost. On those two occasions the celebrant does not bless water before Mass as usual, but, for the "aspersio aquae benedictae", uses the water solemnly blessed in the morning function of the preceding day.

It is lawful to conclude that Easter water in the intention of the Church has the same supernatural efficacy and may be used to gain the same indulgences as ordinary Holy Water.

See *Rituale Romanum,* 1925 edition, Titulus VIII, Can. IV, and Appendix, de Benedictionibus; "Benedictio populi cum aqua benedicta diebus dominicis impertienda" (the last rubric: "In die sancto Paschae at Pentecostes, ubi est fons baptismalis, fit asperio cum aqua pridie benedicta in fonte Baptismi, et ante infusionem Olei et Christmatis accepta").

STRIPPING ALTAR OF REPOSITORY ON GOOD FRIDAY.

Qu. As a reader of this valuable REVIEW I beg to ask whether or not it is permitted to strip the altar of the repository on Good Friday or must the stripping be postponed until Holy Saturday.

Resp. The repository of Maundy Thursday is intended to receive the second large Host consecrated at the Solemn Mass of that day. It is consumed by the celebrant of the Mass of the Presanctified on Good Friday. Consequently the altar used as a repository should be stripped on Good Friday when the morning service of that day is over. The ciborium containing small particles for the possible communion of the dying should be placed on a side altar or in a safe in the sacristy, where a lamp should be kept burning.

TWO MITRES AT PONTIFICAL MASS.

Qu. Why are two mitres used in Pontifical Masses?

Resp. Two mitres are used, one at the more solemn parts of the Pontifical Mass, the other at the less solemn.

Ecclesiastical Library Table

RECENT PHILOSOPHICAL STUDIES.

Logic.

In his Lowell Lectures of 1914, Bertrand Russell put logic as the essence of philosophy. He introduced his system of transitive and non-transitive, symmetrical and asymmetrical relations. He denied that all relations could be reduced to predications, and thereby destroyed the possibility of an Aristotelian syllogism in cases where propositions would not take the form of predications. This logic of relatives was formulated by W. P. Montague [1] into what he styled the hypersyllogism, expressed by symbols. The Aristotelian syllogism is then classed as a special case of the general syllogism; it is held that there are as many types of formal logic as there are types of relation capable of fertile combination. Oliver L. Reiser [2] in the past year in his critique of the syllogism takes over the same formula, but adds, in a note: "Such arguments can be put into syllogistic form when anything is to be gained by it." Homer H. Dubs, in his *Rational Induction* (also published during the past year) takes the same view, maintaining that there is a non-syllogistic inference (p. 162). The attack on the syllogism from this side is on the ground that it is not sufficiently inclusive: the right rules are unable to take care of all the cases of formally valuable inferences. A relation is symmetrical when the subject and the predicate term of the relation can be transposed, leaving the relation stand: e.g. A is equal to B; this can be converted (without altering the position of the sign of the relation) into B is equal to A. A relation is asymmetrical when, if it is true when read one way, it cannot possibly be true when a change corresponding to the one above is made; e.g. A is the uncle of B; then B cannot be the uncle of A. A relation which will carry across a middle term is called transitive; when it will not, it is intransitive. If A is larger than B, and B is larger than C, then A is larger than C. But if A is the enemy of B, and B is the enemy of C, it does not follow that A is the enemy of C. Russell is of the

[1] *The Ways of Knowing;* New York: The Macmillan Co., 1925, pp. 93-99.

[2] *Humanistic Logic;* New York: The Thomas Y. Crowell Co., 1930, pp. 179-180.

opinion that the discovery of such propositions marks a great change in logic; they are at the bottom of mathematical logic and philosophical relativity. But the fact is that every such case can be reduced to an Aristotelian syllogism; or as Dubs puts it: "We may conclude that the nature of rigorous deductive demonstration is to be found in putting each step of a deductive argument into the form of a syllogism and thus laying it bare to criticism."[3] He states also that "other types of syllogisms are essentially similar to the Aristotelian syllogisms" (p. 162). He finds that every Aristotelian syllogism, besides the premises and the conclusion, contains two other propositions, viz. the canon of inference and the validating proposition. The canon of inference can be stated thus: When the rules of the syllogism are observed in any Aristotelian categorical syllogism, the major term and the minor term may be joined (or separated) in the conclusion. The validating proposition simply adds that this canon is correctly applied throughout, in the syllogism in question. But despite the easy reduction of the so-called mathematical and logical deductions to the Aristotelian syllogisms, Dubs continues in the theory that they constitute diverse forms of reasoning. For it is manifest that in a relative proposition, such as A is equal to B, the insertion of the word "equal" is merely an emphatic expression of the copulative force of "is" as against its existential and identificational import, and that such propositions are unintelligible unless the equality is limited by the circle of discourse, e.g. mathematical, from which the kind of equality may be known.

The objection of Mr. F. C. S. Schiller to the syllogism is that no syllogism can produce certainty, since it cannot escape the fallacy of the accident or ambiguous middle.[4] He cites in proof a number of examples in which the middle term needs definition before any conclusion can be drawn. Dubs argues that Schiller is wrong because he fails to take into account the "validating proposition"; "once the validating proposition is proved to be true, Mr. Schiller's objection is no longer possible". Honest argument requires that a word be used in only one signification; if its signification is changed, this

[3] Op. cit., p. 174.

[4] *Logic for Use,* by F. C. S. Schiller; New York: Harcourt, Brace and Co., 1930, p. 277.

should either easily be clear in the context, or should be explicitly stated. Schiller's difficulty amounts to a declaration that we can never know what words mean, since they can always hide some obscure or little known usage. It renders not only reasoning but all language impossible.

Schiller's strongest objection to the syllogism, however, is "that the unfathomable abysm of an infinite regress gapes within its form".[5] For each of the two premises requires two premises to assure its truth; each of these two require two more, the demand for true premises is doubled at every step backward the inquiry takes. Even the axioms are only postulates; you may accept them or not, according to your preference. Reiser[6] rejoins that, although the syllogism may give only probability, this has its value; "the fact that we may not get absolute certainty through this type of reasoning is no grounds for rejecting it". Dubs holds that this infinite regress occurs only when we attempt to prove the truth of a validating proposition by deduction; the validating proposition may be established with certainty by an inductive method, using the process which he styles "immediate description". This consists in seeing, by a formal comparison, that the rules of logic are observed; the conclusion that they are observed is an induction, not a deduction, and is contained in every syllogism.

Knowledge and Reality.

Two works of lasting importance, dealing with the fundamental problems of knowledge and reality, appeared during the past year. They are the printed edition of John Dewey's Gifford Lectures, entitled *The Quest for Certainty,* and the lectures given on the Paul Carus foundation by Arthur O. Lovejoy, Professor of Philosophy in the Johns Hopkins University. Throughout the year John Dewey has been the theme of song and story, for it is his year of jubilee. Educators, philosophers and heads of universities have joined in the jubilation; he has been hailed as the prophet of a new dispensation. That his is an outstanding name is a deserved tribute to his long years of work; that his name stands for an inadequate and partial philosophical method is all the more to be regretted on that account. In the *Quest for Certainty*

[5] Op. cit., p. 271.

[6] Op. cit., p. 179.

he reasserts the philosophy of Instrumentalism; certainty comes only by the experimental method. Thought and action make up one world, not two; they are continuous with one another. To know is to be an active participator in life, and indeed, in the life of the human race as we find it. Action is not the purpose of knowledge; there is only doing, not purpose. Our thought and our action make our world; there is nothing fixed in human affairs; there are no Eternal Forms or Final Truths. Dewey would reduce us all to the position of the school boy who has only problems to solve; they can only be solved by the doing. To presuppose that certainty can be obtained and to start in search of it have been the bane of human activity in every field. Politics, economics and ethics have suffered therefrom, as well as metaphysics, religion and philosophy. He stretches many a point and instances various illustrations which are far from meeting his theory; but he is a philosopher with whom Scholastics have to reckon; full of half truths, and on the whole, skeptical, his warning of the danger of separating philosophy entirely from science is worthy of attention. But there are two sides to it: not only must philosophy understand science; it must exact of science a complete recognition of metaphysical and logical demands. The science that goes against reason is no science, however it may work out in supplying shibboleths to the practical politician or means of *escape* to the will revolting against the hard and fast exactions of an eternal ethics.

At the Sixth International Congress of Philosophy (1926), Dr. Lovejoy, while refusing to concede the certainty of the principle of causality, showed that he could not be satisfied with pure and simple behaviorism. "The behavioristic argument I shall not here examine; the view that both the act and content of awareness, when I apprehend an object distant in space or time, are adequately describable as present changes of the relative position of molecules under my skin, really seems to me to be itself adequately describable by Broad's epithet of 'silly'".[7] In his new book, he reiterates this view, and comes to the conclusion that the *The Revolt against Dualism* has not yet established its case. He belongs to the school of the Critical Realists. Durant Drake claims for this

[7] *Proceedings of the Sixth International Congress of Philosophy*, p. 30.

school that it meets the demands of *monistic realism* and *critical realism.* Dr. Lovejoy does not engage in establishing critical realism; his present work is confined to meeting the criticisms of dualism and showing the insufficiency of the attacks made on it by James, S. Alexander, Laird, the neo-realists, the objective relativists and others. He takes his stand with those who cling to the idea of an objective world, of which man is a part, but a special part, capable of thought and judgment.

Approaching the tercentenary of Galileo and Descartes, we are confronted by a revolt against their ideas. "We who have watched the fall of so many long-established political dynasties have also, it would appear, been witnesses of what may in the end be recognized as a far more important event—'the dethronement of Descartes'"[8] The bar of division set up by Descartes between mind and matter, has, in several important respects, given way before modern psychology and physical science. Science seeks a unified world; a world made of one stuff and operating under one system. It has not attained this; at least such is the burden of Dr. Lovejoy's thesis. No one has ever set forth better the demands of common sense realism, although he does not accept them all; his exposition of the assumptions (not yet asking whether they are valid assumptions or not) which men ordinarily make about the character of what they know, leaves nothing to be desired. Monism has not yet met these five articles of the spontaneous creed of mankind; in fact, "there is a sense in which all realism is dualistic".

Besides the division into Natural and Cartesian Dualism, two more general and scientific dualisms must be considered. The first is psychophysical dualism, whose primary form consisted in the distinction which arose between real existents and the objects known only in dreams, hallucinations and the like. This must be admitted by any philosophy; not even Bertrand Russell is willing to admit that when the sun goes behind a cloud, it goes out of existence, or that dream experience is the same as waking experience. Epistemological dualism arises when reflexion brings out the distinction between the subjective and the objective order. But this later (epistemolog-

[8] *The Revolt against Dualism,* by Arthur O. Lovejoy; New York: W. W. Norton and Company, 1930, p. 2.

ical) dualism has a special sense on which Lovejoy insists, and which is of great weight in Critical Realism: the dualism between the content or datum presented at a certain moment and the reality said to be known thereby. This distinction arises from the supposition (well grounded, indeed) that the reality may have changed between the time when e.g. a light ray left it, and the time when that light ray, impinging upon the retina, may give rise to a sensation. It may appear to me that I see a distant star, but the light ray which brings about that appearance may have left the star a hundred years ago; in the meantime, the star may have been shattered into atoms. This distinction is used with telling effect against the objective realists, who would claim that things are exactly as we " see " them.

Dualism holds its ground against every modern theory of science or of metaphysics. Nothing in Russell, Jeans, Eddington, Whitehead or any other recent thinker, destroys its basic positions. Lovejoy rightly is satisfied that relations between real existents do not destroy their mutual exclusiveness; on the contrary, unless they were reciprocally exclusive, there could be no real relations. The temporal and spatial separations between the knower and the thing known strongly impress him. " Though things exist in their own places and not elsewhere, they may get-reported elsewhere; and the being-known of a thing is its getting-reported where it does not exist—and its getting-reported there *as* existing at the locus or region in which it does exist." It is obvious to a trained Scholastic that many points are omitted in such considerations; they deal with the senses practically exclusively; the application is made, practically if not theoretically, to the sense of sight alone. The timelessness with which in thought and by means of a thought we can traverse the ninety-three million miles between the earth and the sun, as well as the eternal undeniability of " fixed truths " escape observation altogether.

Direct and Indirect Realism.

Within the circle of Scholastic philosophers a dispute not without a bearing on the issues dealt with by Lovejoy has been going on between the direct and the indirect realists. Noel, at the Sixth International Congress of Philosophy,[9] defended a system of direct realism. In the

[9] Cf. *The New Scholasticism*, Vol. I, No. 2.

Revue Neo-Scholastique (May, 1930) he returns to the defence of this doctrine, which had been attacked by J. Henry in the *Revue Neo-Scholastique* (Feb. 1930). Henry proposes an indirect realism; Noel, chiefly for the notion of *being,* holds that it is not intuitive, but nevertheless it is known immediately. Noel would go part way with Santayana, and consequently with Lovejoy; but certainly he cannot be classed with Prof. J. E. Turner of Liverpool, who in his *Theory of Direct Realism* contends for the instinctive naive realism of the common man, which he holds is critical in its own way. Cantagalli [10] also defends a theory of direct realism. Scholasticism continues to suffer by neglect or lack of understanding.

Attacks on Scholasticism.

There has been considerable interest in it from the standpoint of medieval studies; Dr. Mckeon of Columbia has published an English translation of extracts from Albertus Magnus, Robert Grosseteste and others. Despite the efforts of neo-Scholastics, Scholasticism has yet to make itself understood; it is necessary more than ever to present its foundations by rendering intelligible medieval writers in modern tongues and by meeting the working needs of the science laboratories of to-day with a schematic application of its leading tenets. Old forms of attack upon it still continue; thus, in the *Rivista di Filosofia* (Milan, Anno XXI, No. 1, 1930) we read: "The Scholastic philosophy has ever before it a system of fixed dogma, and is therefore not a philosophy".

Philosophic Method.

An attempt at constructing a philosophy "by way of the sciences" has been made by Ray H. Dotterer, of Franklin and Marshall College. He devotes the first half of his book chiefly to an exposition of the leading scientific views now held in physics, chemistry, biology and psychology. Then he passes to a study of Science, Reality and Values. These latter include a discussion of truth, being, and morals, so that most of the traditional problems of philosophy are dealt with. A cardinal feature of his thesis is that the special sciences are, or at least include, a true description of the real. He rejects authority, holding that it should not be obeyed.

[10] *Rivista di Filos. Neo-Schol.,* April, 1930.

Humanism.

The journals of philosophy have been replete with discussions of Humanism in its various phases. One of the most curious productions is the article in *The Personalist* (October, 1930) by the humanist F. C. S. Schiller (author of *Logic for Use,* quoted above). It is a plea for a fixed terminology, and is entitled "Creation, Emergence, Novelty". "Novelty", he says, "is the right word for what has been variously called "evolution", "emergence", and "creation". He succeeds in dragging a Biblical dispute into an essay on philosophical terminology. He states without qualification: "In the book of *Genesis,* which is a monotheistic recension of earlier Babylonian accounts of the struggle of Bel-Marduk with Tiamat the Dragon of the Deep, *alias* the 'waters' of the Abyss, the preëxistence of these chaotic 'waters' is concealed only by a mistranslation of a Hebrew tense." He attributes to the late F. C. Conybeare the information that the doctrine of "creation out of nothing" was an invention of Philo, trying to prove the superiority of the God of Moses to the Demiurge of Plato's *Timaeus.* Professor J. E. Boodin is quoted as holding that "creation out of nothing" arose only in the translation of St. Jerome of the phrase in II Maccabees 7:28. How these gentlemen dispose of Tatian and Theophilus, two Christian apologetes of the second century, is not stated. Nor does it follow, except in Schiller's logic, that because the French *créer* means *produce* or *make* that the French cannot distinguish between making out of already existing material and creating "out of nothing". But it is not only to creation that he objects; neither "emergence" nor "evolution" will suit. "Novelty" is the word. Everything has come about by the generation of novelties, except this theory, "as we may learn from the reflexion that philosophic theory is only now commending an attitude which we have practised all our lives". If this is logic, then it is not strange that Schiller pronounces the syllogism worthless.

The new Humanism, represented in America by such men as Paul Elmer More, Louis Trenchard More, T. S. Eliot, Gorham B. Munson and others, is steadily gaining. Louis J. A. Mercier pronounced the movement which these men have fostered the most significant that has yet appeared in America. Under the editorship of Norman Foerster a collection of essays by capable

exponents has been published under the title *Humanism and America.*[11] They claim a kinship in essentials with Chesterton and Belloc in England, and Maurras, Jacques Maritain and Henri Massis in France. Their attitude toward the absurdities of modern pseudo-intelligence is summed up in the words of Mr. Foerster: "At length revolt and scepticism themselves have ceased to be interesting. The modern temper has produced a terrible headache." They have been attacked as academic, un-American, reactionary and Puritanic. Mr. Foerster finds this last the hardest to answer. He says "Nobody knows what a Puritan is". But since he wrote these words, Professor Schneider of Columbia [12] has issued his study of the Puritan mind, from its earliest days to Benjamin Franklin. (He leads up to Hawthorne and Emerson: he should have gone one step farther and reached Webster, Lowell and Brownson.)

Irving Babbitt, essaying a definition of Humanism, emphasizes the present debasement of language, the "intellectual coinage". He calls for an understanding of the background of words, but his final appeal is not "to any historical convention but to intuition". The existing anarchy, however, is not merely verbal, it is spiritual. Men must be trained to like and dislike the right things. The virtue that comes from a right cultivation of one's humanity is poise. Humanism sets at the basis of its pattern the something in man's nature that sets him apart simply as man from other animals. Babbitt rejects the empty humanitarianism which brooks no dogma; he ranges himself "unhesitatingly on the side of the supernaturalists". He would not abandon the "higher will", superrational, which has been associated in traditional Christianity not primarily with man's will, but with God's will in the form of grace. This is much the position which he took in his *Democracy and Leadership,* showing the futility of the French Revolutionists in substituting "fraternity" for the element of enthusiasm in religion and for Divine Grace. The true notion of religion is to be gotten from the saints, not from the psychoanalysts. It is not strange that Humanists find their fundamentals in Sophocles, Cicero and Horace, Aristotle and

[11] By the firm of Farrar and Rinehart, New York, 1930, pp. 294.

[12] *The Puritan Mind,* by Herbert Wallace Schneider; New York: Henry Holt and Company, 1930.

Confucius, and points of agreement between the teaching of Buddha and the doctrine of Christ. Not any stranger than that Thomas Aquinas found in Aristotle a philosophy adapted to the exposition of Christian truth. That all that is humanly good in art, literature, science and philosophy should be sought after, recognized and assembled, not matter where it may be found, is certainly an excellent program. If this be done with the earnestness and honesty which the new Humanists are showing, it will not be long until they cry out with Augustine, " O anima humana, naturaliter Christiana ".

Catholic Writers.

The number of philosophical journals issuing from Catholic schools is constantly increasing. We need scarcely state that the *New Scholasticism,* published by the American Catholic Philosophical Association, continues to maintain its high standard. The Capuchins have established at Assisi a new foundation from which will certainly flow a valuable series of critical studies. St. Michael's at Toronto rejoiced in a series of lectures given by Etienne Gilson. Chesterton was at Notre Dame for a semester, and lectured in various American cities. From Notre Dame has also come an *Introduction to Metaphysic* by Charles C. Miltner and Daniel C. O'Grady. Dr. Glenn has added an *Ethics* to his *History of Philosophy* and *Logic.* The *Introduction to Philosophy* of Jacques Maritain has been translated into English. The Catholic University of Milan has issued some brilliant studies on the borderline of philosophy and modern psychology as well as in the medieval field. These have appeared in monographs such as those of Amato Masnovo, and as articles in the *Rivista di Filosofia Neo-Scolastica.* The Franciscan Educational Conference was devoted entirely to philosophy, partly from the pedagogical and partly from the standpoint of philosophy *in se.* For the first time, European scholars contributed papers. The report of this conference is a valuable addition to recent philosophical literature.

Seventh International Congress.

The Seventh International Congress of Philosophy was held this year at Oxford. The attendance was the largest on record. The discussions ranged over the fields of Metaphysics, Logic and Epistemology, Ethics, Politics and Esthetics,

and the History of Philosophy. There were some ninety papers, each limited to twenty minutes. The next Congress is to meet at Prague in 1934.

American Catholic Philosophical Association

The American Catholic Philosophical Association held its Sixth Annual Meeting at Loyola University, Chicago, 29 and 30 December, 1930. The topics fell into two classes: Problems arising from science, especially physics and biology, and the contribution of St. Augustine to philosophy. The proofs for the existence of God in certain ethical problems were also discussed. Dr. Karl F. Herzfeld, of Johns Hopkins University, read a notable paper on "The Frontiers of Modern Physics and Philosophy". He found that the main difference in attitude between Medieval Philosophy and Modern Physics consists of the deliberate experiment, the importance of the numerical or quantitative and the consideration of secondary rather than primary causes. The President's Address, delivered by Monsignor James H. Ryan, Rector of the Catholic University, was a call to the perfecting of our philosophy so that Scholasticism may win the recognition which so far it has not achieved. Dr. Gerald B. Phelan, of St. Michael's, Toronto, Canada, was chosen President for the ensuing year.

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Criticisms and Notes

THE THING. WHY I AM A CATHOLIC. G. K. Chesterton. Dodd Mead and Co., New York. 1930. Pp. 255.

COME TO THINK OF IT. G. K. Chesterton. Dodd Mead and Co.: New York. 1931. Pp. 272.

THE RESURRECTION OF ROME. G. K. Chesterton. Dodd Mead and Co., New York. 1930. Pp. 294.

The first of these volumes contains thirty-five chapters on as many subjects. Their unity and attraction are derived from the author rather than from any particular relation among them. The same may be said of the second, which reproduces essays from the London *Illustrated News* for which Mr. Chesterton has written for twenty-five years. Finally, the third volume tells us what happened to mind, feeling and appreciation when the author invited the impact of Rome by going there in order to describe how it affected him. Any praise of Chesterton seems trite. To venture to recommend these books, and they are recommended unreservedly, would be very much like helping a locomotive to pull a train by shoving on the rear car. But it may be worth while to say something about the author himself.

Chesterton has the rare power of startling a mind into action and confusing it by the immediate and arresting effect of his language. His extraordinary gifts are evident at all times. Sure handling of deep truth, deep interpretation of trifles, wit that is never mean, humor that satisfies its own most refined definition, the investing of obvious things with dignity and meaning, are found in everything that he writes. His certainties seem to be purged of all doubt. And he appears to carry them farther than anyone else would dream of doing. His cleverness is displayed by the courtesy with which he treats those with whom he disagrees. "I do not misunderstand their courtesies or seek to lure them a step farther than they desire to go." He would be far less clever if he contented himself by pointing out only the errors of those with whom he differs.

One who is at all susceptible to Chesterton's witchery can scarcely read him in a consecutive way without yielding to his domination. He seems to be so certain and final at any moment that one wishes to avoid disagreement.

There are few critics or scholars, philosophers or leaders, who are not betrayed now and then into the making of statements that fill gaps in an exposition without adding to its thought. Inad-

vertence dogs everyone's footsteps. And again there are few who see all of the implications of everything that they say. Chesterton never misses such things when he deals strongly with an outstanding man. Life is three-dimensional, while language has but one dimension. They are few who have the gift of making language adequate to intention without saying too little or too much. Chesterton himself escapes this danger by his lucidity of thought and command of language. But he never misses the inadequacies of thought and language among those against whom he directs his critical pen. Nor does he overlook the courtesy which recognizes and respects truth wherever found.

One of Chesterton's habits which enriches his pages to a striking degree is that of finding whole philosophies in trifles. In the last chapter of the *Resurrection of Rome* he draws lines across Christian centuries and makes a Papal Guard at the head of a stairway a synopsis of Christian history. There is something splendid in the mental achievement of a man whose mind and imagination keep details of any kind in the sure pathway of their orbit round the central truths that give them meaning. Most of us can see the details and miss the philosophy and we therefore treat them as trifles, and fail to know their meaning. But Chesterton will take anything, from a pipestem or a ribbon or the translation of a Latin word to an act of kindness or an impulse of prayer, and construct a philosophy around it with a definiteness and certainty that are incomparable. And he does it always with the casual touch or true art which creates effect and hides the effort that produced it.

I do not know to what extent Chesterton has been studied as a spiritual interpreter, for I have not tried to read what has been written about him, being quite content with his power to rouse and influence me. But there are touches of spiritual illumination found frequently in his writings which promise to place him some day high among the qualified interpreters of spiritual truth. A reviewer in discussing the *Ressurection of Rome* in the December 1930 *Bookman* says that he almost deserves paradise for one great epigram. "It is the root of all religion that a man knows that he is nothing in order to thank God that he is something." How can anyone who believes that our social relations are noted by God, read the following: "God is the very last to take offence," and not feel ashamed of thoughtless indignations and resentments scattered over all of his years. We read in *The Thing*: "For Catholics it is a fundamental dogma of faith that all human beings, without any exception whatever, were specially made, were shaped and pointed like shining arrows for the end of hitting the mark of

beatitude. It is true that the shafts are feathered with free will and therefore throw the shadow of all the tragic possibilities of free will; and that the Church . . . does also draw attention to the darkness of that potential tragedy. But that does not make any difference to the gloriousness of the potential glory." A flash like this does as much to discover our spiritual dignity and responsibility as can be accomplished by a whole treatise in Philosophy. We are worried about the drift of morality away from its dogmatic basis and the tendency to give it a social but not spiritual content. One shining sentence tells us all of this with striking effect. "Moral qualities have lost their mystical quality."

There is a certain pleasure in trying to imagine what Chesterton might have been had he lived at another time. It seems almost a pity to be his contemporary because we need the perspective of history in order to discover the final proportions of great figures. He lives in a time of widespread negation of traditional fundamentals and he takes on the rôle of affirmation of those fundamentals. His aptitudes, preferences and power are so in accord with the essentials of Catholic faith and history as to lead us to see preëstablished harmony between him and them. Rare gifts of sympathy, imagination and elementary insight seem to make him the contemporary of any historical figure that he discusses. Scientists contrive mechanisms that filter out certain kinds of light and sound while allowing others to penetrate them. Time does something of the same sort to the historian. Some elements of atmosphere are prevented from reaching his mind, and his efforts to reconstruct historical figures in their own atmosphere are often inadequate. Chesterton seems to overcome this difficulty and to write almost like a contemporary in discussing the past.

On the surface, as we look upon the continental sweep of his intellectual interests we might be inclined to say that he has neither a consecutive nor systematic mind. There is, however, a coherence and consistency about him that gives abundant evidence that his mind is both systematic and consecutive. Someone has well said that knowledge without antecedents and fusion of the faculties are characteristic of genius. Under this test Chesterton can qualify as a genius.

The first two that give occasion for this interpretation may be recommended as characteristic of his ability and method and worthy of his reputation. Some years ago about the time that he became a Catholic, a writer in reviewing one of his books referred to the rumor that he had entered or was about to enter the Catholic Church and this had been interpreted to his disadvantage as a thinker. The reviewer remarked that no one cared as to the way

he went since it was a delight to watch him go anywhere. In much the same sense here, a reviewer might risk the charge that he does not read the books that he describes. One would be quite safe in recommending anything that Chesterton writes without having read it in advance. But the two volumes named at the introduction of this notice have been read with a delight and sense of enrichment which will be shared by anyone who reads them.

THE MISSIONS AND MISSIONARIES OF CALIFORNIA. By Fr. Zephyrin Engelhardt, O. F. M. Vol. II: Upper California. Second, revised edition. Maps and Illustrations. Pp. 730. Santa Barbara, California, 1930.

SAN BUENAVENTURA, the Mission by the Sea. By Fr. Zephyrin Engelhardt, O.F.M. Santa Barbara, California, 1930. 175 pages, illustrations, map.

The statue of Father Junipero Serra will be unveiled next month in the United States Capitol at Washington. The Spanish founder of California has been chosen by that State as the subject of one of the two statues which it is entitled by federal law to erect in Statuary Hall. The details of the life of the padre, especially as he lived and wrought in California, are nowhere else quite so fully and authentically portrayed as in this work by the Rev. Zephyrin Englehardt, O.F.M.

Of that monumental four-volume work this is the second volume, and its second edition, the first edition having appeared nineteen years ago and having been exhausted five years ago. The volume covers the presidencies of California missions of Fathers Serra, Lasuen and Tapis, 1768-1812. The history is rich in detail, at times redundant. It is marked by full and exact citations of original sources. It does not, however, make sufficient use of recent rich ethnological material, although the author is unusually well equipped to make use of such material because of his knowledge of Indian language and mentality, as he proves when he treats of Indians. Two new appendices are added. The one entitled "Fr. Junipero Serra and His Traducers" does not dignify any traducer by naming him or her. But the reply by the author to criticisms of his hero makes an interesting chapter in the history of the union of Church and State, which is shown to be far from ideal where the Spanish State is represented in the persons of three rulers of California, Fages, Rivera and Neve. The other new appendix is on the date of the founding of the City of the Queen of the Angel —Los Angeles. The author is perhaps a bit too precise in fixing

the date as 31 December, 1781. If the reviewer's Spanish is not amiss (and he takes it from his prized copy of Father Palou's *Vida de Junipero Serra*), "a ultimos de ano de 1781", means precisely in "the last days of the year 1781". Why tie it down to the very last of the last days?

One change in the second edition is inexcusable. It is the change in paging without any indication of the paging in the previous edition. That reduces greatly the value of the excellent index volume which was based on the first edition and which covers volumes two, three and four. The pagination of the former edition could have been added on the pages of the new issue. That is an old and a good device.

A minor detail is this. The author is rather severe with Father Hidelgo, the liberator of Mexico, because as pastor of San Miguel, the Mexican "Father of his Country" excused his congregation from Sunday Mass in order that with them he might start a revolution. And the revolution was against that very Spain which the author denounces because of misfeasance and malfeasance in dealing with Church property, the Pious Fund, and the colonies of Mexico and California. Probably if the Mexican pastor-hero had excused his people to save a crop of hay from rain, and not to free a people from tyranny, it would have been pardonable.

The purpose of the foregoing strictures is to provoke reply by the delightfully aggressive author. And that will both serve to advertise the great book and to supply more copy for the editor of THE ECCLESIASTICAL REVIEW. The review of the book offers the reviewer no other recompense than the joy of serving those two friends. But even if those two friends be lost, the reviewer will keep the review copy as ample recompense.

The kind of retort that may be expected from the author is shown in the deserved rebuke received several years ago by the reviewer who had written him asking a reference to biographical information covering the period of the California gold rush with reference to Father J. B. A. Brouillet, one-time director of the Bureau of Catholic Indian Missions. Father Zephyrin answered, "You make me think of the boy whose mother gave him a Bible. The mother placed a ten-dollar bill between the leaves. But the boy never found the bill because he never read the Book." Then Father Zephyrin added, "You will find the information about Father Brouillet on pages 613-615, volume III of my history, *Missions and Missionaries of California*, of which I gave you an autographed copy." Father Zephyrin gives fuller information on that and many another point in his "San Francisco, or Mission Dolores", which is one of eight handy little volumes on the history

of particular missions so far published by him to complete the story of the general history in four volumes. Of that general history the volume under review is the second.

If the reader enjoys being irritated and made to think, he should buy the book. For priests, it could not be better if it had been written expressly for them.

It is a great joy to the reader when a serious historian, even unconsciously, catches the human interest, or romance, of his subject. In the story of *San Buenaventura, the Mission by the Sea*, Fr. Zephyrin Engelhardt, O.F.M., has given us the gem of his histories of California. If the reader will but enter by this charming portal, he will be won to examine the solid edifice of sixteen stories, or volumes, of California mission history erected by the author. Here is a book that fits the hand without wearying. The book is adorned not less by its illuminating notes and instructive lists of spiritual and material mission results, by its full table of contents and complete index (plague on the book without a real index!) and by its lively presentation of a romantic period, than it is embellished by an artistic cover design in gold and many half-tones of historical and present-day interest. Deeper etching and a coarser screen by the engraver would have brought the pictures out even better. A railroad company and the post-office department shortened San Buenaventura to Ventura, for which there is the same—and no more—justification than in nicknaming San Francisco, Frisco. As boys in California we used to have our ears boxed for the latter offence. Americans are responsible for the ugly name, Frisco, but Spanish-speaking people for the only slightly more musical Ventura. There is a strong movement by California to restore the full and proper name, San Buenaventura, to the town and county of the mission. We wish both that movement and the book itself *buena ventura*, good luck.

ETUDES DE THEOLOGIE MYSTIQUE. Joseph de Guibert, S.J. Toulouse, 1930. Pp. viii-320.

Joseph de Guibert, the distinguished professor at the Gregorian University, has put together in a little volume a series of articles that appeared in the *Revue d'Ascétique et de Mystique*. They treat of problems of mystical theology that have been actively discussed in Europe during the last thirty years. They are written for the theologian who has a theoretical interest in the various problems of mysticism and not for one who is seeking nourishment for his spiritual life. They show a wide acquaintance with the modern literature on problems of mystical theology and are well worth

reprinting in book form for the use of those who wish to orientate themselves in the modern discussion of such problems as the nature of infused contemplation, distinction between acquired and infused contemplation, the universal call to contemplation, etc.

The method of discussion is strictly theological. This imposes a marked limitation, for the problems discussed can scarcely be settled without an analysis of the inner experience of contemplative souls. Such extensive labor as is represented by the learned discussions of Guibert should be supplemented by further development of the fundamental work of Poulain which is the essential basis of any further theological analysis in this field.

CHURCH HISTORY. By the Rev. John Laux, A.M. Benziger Brothers, New York. 1930. Pp. xix-620.

To write the story of the Catholic Church, an institution that is international, universal, worldwide, that is nigh unto 2000 years of age, that is loved by many, misunderstood and feared by others, is not an easy task. To write such a story that he who runs can read, makes the task more difficult. To write in a way that the reader will see not only the past of the Church but how that past, majestic as it is, has gradually unfolded itself into the present with all its lusty vigor and conquering love, is an achievement that is realized by few. Among the few from now on will be found the name of Rev. John Laux, the author of this " up-to-date " history of the Church. In its 620 pages Father Laux has given to our high school pupils for whom this text was specially prepared and to all its readers a concise, clear and correct picture of the history of the Church founded by Jesus Christ. With due appreciation of the worth of facts and their relation to the main topic the author has included in each chapter only the salient points, points necessary and nothing more. By this procedure Father Laux has rendered his volume a veritable vade-mecum for all who seek and love the truth. At the close of each chapter the reader will find pertinent quotations from original sources with additional hints for further study. These add to the worth of the volume and aid in making it a means whereby the reader's historical culture and sense of proportion are enriched and strengthened.

The clergy will find this compact little volume just the book that will give to the studious Catholic and fact-loving convert an insight into the outstanding points of the history of the Catholic Church. Here they will find the high-lights of the drama that tells the story of the unfolding of that tiny " mustard seed, which is indeed the least of all seeds; but when it is grown, it is greatest among the herbs and becometh a tree so that the birds of the air come and lodge in its branches ".

To high school student and adult, to clergy and laity, to Catholic and non-Catholic this timely volume will be of no little value. In its pages they will "read the history of her growth and struggles. We live again by keenness of our sympathy in those days of persecution, when, at times it looked as if she must be stamped out and destroyed. We follow her destinies with deepest interest. First hidden away from man's sight and spreading out her roots beneath the soil, then growing like a tender and delicate plant, then all the elements apparently against her in the outburst of the storms of persecution, how can she preserve her life under the biting frost of hatred and scorn? How can she grow amidst such tempests? Again we see her for a moment victorious and then crushed almost to death by the triumph of human passion. Again we watch her struggling for life, beset on all sides by various forms of heresy; unsanctified reason and worldliness arraying themselves against her. It is the history of a life, tender, fluctuating, uncertain; so delicate that to all appearance it must sink under the first rough blow, and yet with a marvelous vitality that nothing can destroy. Her history from first to last is the history of one age-long struggle with forces and powers that were to all appearance infinitely stronger than she was, and yet that in some way, mysterious and unaccountable, helped to make her growth more firm and compact by every new endeavor to destroy her. And we are able to see her now with her roots sunk deep into the soil of human life, and having won for herself a position from which she cannot be dislodged."

ETHICS: A Class Manual in Moral Philosophy. By Paul J. Glenn, Ph.D., S.T.D. St. Louis: B. Herder Book Co. 1930. Pp. xiii-302.

Written with a view to practical classroom work this text is arranged rather on pedagogic lines than from the standpoint of philosophical demonstration. The student will find in its convenient summaries, apt illustrations and a synoptic division very helpful to the memory. The general principles of fundamental ethics are outlined in the first part; the second part deals with individual and social ethics. It employs the traditional terminology of the schools and eschews the novelties which have come forward in recent years. Many of the examples are taken from Catholic practice, of the kind which teachers often use orally but seldom write into their texts. Such topics as missing Mass on holidays of obligation, the liceity and validity of Baptism, the supernatural virtue of prudence, find a place in the text. The exposition of the influence of circumstances upon the morality of human acts reads like an examination of conscience.

Students like the book. In a felicitous manner it meets the questions which they want answered in a clear-cut positive way. With a little help from the professor the ancient terms become clear and their modern implications can be drawn out. Some points could be made clearer; for instance, the principles governing the mortality of an act from which two effects follow, the manner of recognizing a penal law, the title of rights, the duties of man with regard to his mental development and education, etc. But no book can cover every question of human conduct in detail. However, a text on ethics is incomplete in our day unless it makes some application of fundamental principles to the new circumstances of modern life. The student wants to know how the scientific and trained moralist formulates his conclusions about the questions arising in modern industry and social life, such things as movies, theatres, dress, newspapers and magazines, advertising, buying and selling, and the like. This book does not treat of these issues in any formal way; we wish that it did.

GESCHICHTE DER SPANISCHEN NATIONALLITERATUR IN IHRER BLUTEZEIT. Von L. Pfandl. Herder, Freiburg. 1929.

This most recent work of German scholarship in the field of Spanish literature maintains the high standard of critical insight and erudite interpretation to which earlier German writers like Van Schack (1854), Wolf (1859), Schaeffer (1890), and Creizenach (1903), had accustomed us. Dr. Pfandl, well-known for his many earlier contributions, is peculiarly well-fitted to deal with the Spanish literature of the last three centuries. He brings, in particular, to the fascinating subject an intelligent Catholic faith, minus which no one can hope to grasp fully the immortal efforts of the Spanish mind at its zenith in the way of literary expression. Indeed, the Catholic faith has so intimately dominated all Spanish life for more than a thousand years that an accurate knowledge of it and a sympathetic appreciation of the Spaniard's religion are necessary for a satisfactory treatment of any phase of the national life—political, literary, social, economic or esthetic.

For this reason Dr. Pfandl presents an extensive introduction in which the nature, qualities and mutual relations of mystical and ascetical theology are exhibited in as simple and intelligible a way as possible. It is easy to grasp the need of such a theological orientation in the case of those numerous Spanish classics which were composed in a highly spiritual atmosphere—narrative, poetry, drama, correspondence. From this point of view its classics are perhaps the most highly personal of all the national literatures.

One has only to think of Saint Teresa of Avila, Saint John of God, and Luis de León. Equipped with this indispensable intelligence of the religious mentality of so many distinguished Spanish writers of the sixteenth and seventeenth centuries, the reader of Dr. Pfandl's scholarly pages can appreciate rightly his many fine literary portraits, rich in criticism and erudition, which reflect the glory of Spanish letters at the height of the national splendor and prosperity.

Dr. Pfandl has incorporated with his own valuable researches the best that modern writers, German, French, English, American, and Italian, have published in the way of description, praise and criticism, particularly the latest versions of Ticknor and Fitzmaurice-Kelly, above all the immortal thought of Menendez y Pelayo, that superman of Spanish criticism and erudition, whose national monument at Santander is his own vast library bequeathed to Spain and housed with becoming splendor and dignity.

Now that the American Catholic literary market seems capable of absorbing the translations of such extensive historico-literary works as Pastor's *History of the Popes* and Bremond's *History of Religious Thought* in pre-revolutionary France, there ought to be a demand for an English version of this fine work, henceforth indispensable for Catholic students of the Romance languages.

LE BOUDDHISME. Par R. P. Mainage, Professeur à l'Institut Catholique de Paris. Bloud et Gay: Paris.

Many works on Buddhism are accessible to the student. Most of these works, however, envisage some special philosophical or theological concept manifestly contained or indirectly issuing from the agnostic thought of Buddha. From such works the student can never grasp the whole idea of Budda or understand why Buddhism, notwithstanding the geographical and numerical extent of this idea, holds so small a place to-day in the world of thought. To understand Buddhism, its rise, growth and decay, one needs a general view of the whole picture. The highlights and the shadows can be painted later. Such a general view is presented by Father Mainage in his work *Le Bouddhisme*. He traces the history of Buddhism from its rise to the nineteenth century. He follows it from India and Bokhara to China and Japan, and from Mongolia to the Malay Peninsula. The survey is rapid, but the essentials of the system inspired by the Sage of Sakya stand out in bold relief. The glory of Buddhism is past, but not time is the cause of its decay. The lack of doctrinal unity, a perpetual spirit of compromise, and the absence of central authority have led to its present inactivity. Christianity has often

been compared to Buddhism, but with what little warrant the reader of the present work may judge. Father Mainage's work will be of great help not only to the student of Buddhism but to every Christian apologist.

THIS LAND OF LIBERTY. By Ernest Sutherland Bates. Harper and Brothers, 1930.

Doctor Bates is a liberal and writes for liberals, though it is conservatives who should read *This Land of Liberty*. Too earnest a thinker to teach in a circumscribed institution, he has followed the Beards, Robinsons, Cattells, and many other educators who prefer to teach a larger audience through books and articles in the free magazines. He is one of that splendid minority of intellectuals who favored Smith and progress to Hoover and fictitious prosperity. He has few, if any, inhibitions and hence can criticize America as only a native born Protestant may rightly do. All sons of immigrants bear an inferiority cultural complex which makes them boast of patriotism, while they detest the professional patriots in the innumerable, peace-time patriotic societies. At any rate, he is guilty of no heresy. Bates's difficulty is that he writes too well. His philosophical and historical allusions will be lost on business men, who may read, and on college graduates from commercial and educational courses. Then again he is driven to touch on too many subjects for which space denies development; and few readers think or read understandingly. Our schools and colleges encourage students to earn credits and acquire degrees, even as their fathers amass money. The motive is much the same in a machine age. The log has given way to the factory which creates a uniform, standardized product.

This book strikes a note of protest, but a vain protest, against capitalism in production, against education in bondage, against Comstockery in public morals, against a kept press, against national oratorical contests which "serve canned Constitution to school children," against hypochondriac laws which breed disrespect for all law, against Volsteadism and intemperance, against financed war hysteria, against the moronic fear of evils such as Catholicism, by the Klan, as trade unionism by the capitalist, and as communism by the trade unionist; against Jeffreys-like justice meted out to draft dodgers, pacificists, Sacco-Vanzetti, the radical deportees, conscientious objectors, rejected immigrants, Mooney and Billings, and the victims of Centralia, of Gastonia, and of the Pennsylvania state police; and against our civilizing marines in the Carribbean as a refinement of the British gunboat policy in the Orient.

The author holds that: "The United States, both in fact and in theory, is no longer the United States we have loved. . . . The Greek shoeblack is nearer Pericles, the Jewish pawnbroker nearer to the Prophets, than the spirit of modern America to that of the founders of the republic.' "Genuine recognition of personality was reserved . . . for the Greeks and the Jews. Enhanced by Christianity, it persisted through the Middle Ages, and developed continuously in later times until checked by modern industry." He grieves that freedom of expression is so blithely denied, and even defended by men who proudly declare that there is more freedom in the States than in Fascist Italy or Bolshevist Russia. Some of this he ascribes to the late war for democracy and some to that unnecessary war with Spain for imperialism and trade. Even the unemployed veterans who are selling apples are less certain of the causes of the war than when they were conscripted in 1917. Today the five-minute speakers and the dollar-a-year men would hardly get a hearing for their German atrocity stories and their demands to "shut-up" the Germans. This was when Cannonism and statecraft in the pulpit received an impetus. The country may yet turn from Coolidge back toward Jefferson. Harding was too typical of his time to be condemned, and the country was too cynical to turn from his cabinet officials. Yet the author hopes for a reaction, led by liberals on the Supreme Court, in the Harvard Law School, in certain magazines (presumably *The Commonweal* for which he writes), the expatriates in Europe, and a number of societies which he describes as liberal organizations, among which is listed the National Catholic Welfare Conference.

Only of education, does he appear hopeless. This chapter is good, but it might go farther. When one lists the ridiculous requirements laid down for high school teachers as to training, deportment, dress, outside activities, and subserviency, some emphasis might be placed on religious and racial tests for applicants. Governor Smith was not the only person to fail of election on religious grounds. Suppose that he had been a candidate for a job in a high school in some nativist center! Suppose by miraculous chance he was teaching in a "non-sectarian" university and gave expression to such dangerous social and economic views! The Board would be made up of magnates and the president would be a "go-getter," and the result would be that they would "go-get" a more conservative teacher of the social sciences. The author despairs for faculties, when he notes concerning university presidents: "A generation ago there were educational giants in the land —Eliot, Hall, Andrews, Gilman, Schurman, Angel, Harper, Van Hise, Jordan. Where are their successors? Their place is

being taken by a crew of little creatures, increasingly of the promoter type, young smiling bagmen of learning." There is less trouble over academic freedom; for the new type of man in the teaching profession with its slight attraction is not the man to die for lost causes even though he gets his name in *The Nation* and is prayed over by a delegation from the *American Association of University Professors*. Like the history of the country, this is a book which smug men should pass by. Not that any man would agree *in toto* with the author's impression; but no liberal expects one to agree in full with him; only reactionaries compel conformity, and radicals demand full acceptance of their views.

THE CRIMINAL. By the Rev. Henry A. Geisert. B. Herder. St. Louis, Missouri.

The science of criminology is a field that has been much cultivated during the last decade, especially in this country. We are, however, confronted with the strange paradox that the crime wave increases, so it would seem, in direct proportion to the popularity of the science of criminology. Of course we are not going to be guilty of the fallacy "post hoc, ergo propter hoc"; but we do believe that there is a kind of relationship between these two facts. The tendency of practically all criminologists in their discussion of the causes of crime is to eliminate an all-important factor, the freedom of the human will. How can there be a satisfactory solution of the problem of crime when all the theories excogitated are built upon the unsound assumption that all human actions must be explained in terms of a mechanistic psychology? Is it any wonder that our youth trained in schools where these theories are in vogue should grow up without any idea of morality and religion? We may well welcome, therefore, an author who emphasizes the necessity of training the will through religion, while at the same time he gives due attention to other factors of crime—heredity, and environment, and pathological conditions.

The chapter on "physiological psychology" is an excellent and absolutely necessary foundation for the other chapters on Etiology of Crime, Therapeutics, and Prophylaxis. The book is the result of much reading on the subject, together with years of experience as a chaplain. It is when Father Geisert speaks as a chaplain that he gives us his most valuable writing. If all our prisons had chaplains of the same personality as his and imbued with the same ideas, how much good would be accomplished in our prisons! In reading the *Handbook of American Prisons and Reformatories*, a publication of the National Society of Penal Information, one is forcibly

impressed by the fact that religion is woefully neglected as a means of reform. Most of the chaplains conduct their religious services in a perfunctory way without evincing any genuine personal interest in the prisoners.

The Criminal is an excellent popular treatise on the subject and will prove eminently useful to chaplains and social workers and the educated layman. The book is not suitable as a college text book on the subject. The style is often labored and the treatment of the subject is not sufficiently scientific.

We earnestly hope that we shall receive more from the pen of Father Geisert.

LEXIKON FUR THEOLOGIE UND KIRCHE, herausgegeben von. Dr. Michael Buchberger, Bischof von Regensburg. Herder & Co., Freiburg; B. Herder Book Co., St. Louis. 1930. Vol. II, pp. 1023.

We called attention in last November issue, to the appearance of the first of the ten volumes of this *Lexikon*. A second volume is at hand covering the field between Bartholomaus and Colonna. Among the articles of outstanding interest may be mentioned those on Confession (Beicht), Benefice (Benefizium), and many relating to the Bible, its editions, texts and translations, the Biblical Commission, Biblical Chronology and History, Geography and Hermeneutics. Bolshevism (Bolschewismus) is treated in an unusually long article, as is the Breviary. As was noted in the earlier review, all of the abbreviations in the bibliographies which follow the articles are explained fully in the ten pages which precede the text proper. The illustrations are well chosen and helpful.

Literary Chat

To the full official English version of the Encyclical Letter of His Holiness Pope Pius XI on Christian Marriage is given first place in this issue of the REVIEW. Then follows a commentary, from competent pens, on the moral and canonical aspects of this authoritative exposition of the rights, duties and privileges of Christian wedlock.

This impressive Pontifical utterance is ringing in the ears of the world at a moment when the minds of men, some willingly and others unwillingly, are considering the moral problems of the married state, the family, and the home.

The concern of our readers with the fundamental Christian principles underlying these realities warrants the giving over of the major part of this number of the REVIEW to the Sovereign Pontiff's message, whose echo will not soon die down throughout the world.

Popular interest in the story of the Jesuit martyrs of North America who were recently canonized insures a welcome to a little volume of 125 pages which we owe to the busy pen of Mrs. Thomas Concannon, D.Litt. (*White Horsemen*; Sands and Co., London; B. Herder Book Co., St. Louis; 1930.) The sketches are well written and, though short, they succeed in introducing into the picture the extremes of holiness, infinite courage, and agonizing experiences which have attracted the admiration of the world. Nowhere else will one find an equally dramatic contrast between the fiendish cruelty of Indians and over-mastering love of souls which led to martyrdom.

With the hope of promoting an understanding of the providential rôle of St. Joseph in the life of the Church we published in March 1929 an article on the encouraging of devotion to him. In our July 1930 issue attention was called to the Pious Union of St. Joseph's Death, to the exalted approval which it enjoys and the spiritual privileges with which it is enriched. In further service of that purpose we call attention to a new volume of Father Albert Powers, S.J. (*Why We Honor St. Joseph*; Frederick Pustet Company, New York; pp. 120; 1930.) The author constructs around the known facts of St. Joseph's life a series of interpretations and inferences which enables us to visualize the Saint more effectively and to rest devotion upon understanding.

Those who find occasion to preach on the Way of the Cross or wish to foster their own devotion to it will find very helpful a little volume by Abbé Gellé. It was recently published by Bloud and Gay of Paris. (*Vingt-Cinq Chemins de Croix*; pp. 186; 1930.) The author arranges brief points for reflexion on each station in twenty-five different series. This method furnishes a range of interpretations which cannot fail to be of great service, particularly in view of the universal appeal which this devotion makes to the faithful.

A restatement of the principles upon which sex ethics rest is offered in the translation, by the Rev. Dr. Charles Breuhl, of the work of Dr. Rudolph Geis, Director of the Archepiscopal Seminary of Freiburg in Breisgau. (*Principles of Catholic Sex Morality*. Preface by Dominic Prummer, O.P., S.T.D. Joseph F. Wagner, New York City; 1930; pp. 105.) A short bibliography is given. Biological and psychological factors in the problem receive sufficient attention to strengthen the spiritual appeal of the whole treatise. Priests who may feel at a loss as to the form of instruction of those about to marry will find the little work most helpful.

Father Martin J. Scott, S.J., has published in a volume of 188 pages a discussion of the Christian concept of marriage, divorce, annulment, separation, and birth control. He introduces into his text many authoritative opinions drawn from outside sources which are in fundamental agreement with the position of the Catholic Church. (*Marriage*. The Paulist Press, New York City. 1930.)

The Rev. A. C. Cotter, S.J., has just published a brief text book in Logic and Epistemology. He remains very close to the spirit and method of Scholasticism throughout, which he places above all others in philosophical method and coherence. (The Stratford Company, Boston; pp. 234; 1930.) An exhaustive Index greatly facilitates the use of the work.

Under the title *The Essence of the Catholic*, P. J. Kenedy and Sons of New York publish a translation of *Das Wesen des Katholischen Menschen* of Father Peter Lippert, S.J. The contents are arranged in three chapters: The Faith of the Catholic, The Will of the Catholic, The Soul of the Catholic, originally prepared as lectures to the Catholic students at Heidelberg. Perhaps a freer translation of the title would have conformed to English usage more happily than does the title chosen for the translation (pp. 83).

We owe a volume containing fifty sermons on Christ to a striking question asked of the author by the boys

who ordinarily served Mass in his parish Church at Seigburg. As he was about to leave his church after Sunday Mass and sermon, the servers said to him: "The next time you preach, will you tell us something about Christ?" The pastor answered: "I do that every Sunday." They replied: "We all know what you preach on Sunday. We hear it every year. We have in mind other things that are found in the Gospel." The author was struck by this and he realized that perhaps he had not brought the Gospel to the attention of his hearers as he should have done. The sermons of the following year were centered upon Christ as a source of faith and love. They are reproduced in *Ein Gang durchs Evangelium.* (Stephan Berghoff; Herder and Company, Freiburg; pp. 268; 1930.) This is the author's eighth volume. All of its predecessors had enjoyed unusually wide circulation.

One of the most attractive annuals for 1931 that has come to us from England is the *Franciscan Almanac* published by the Fathers of the Forest Gate Friary, London. Its main features illustrate the virtues of the popular St. Anthony of Padua, whose seven hundredth anniversary offers opportunities to the Tertiaries from all parts of the world to organize pilgrimages to Padua for the proposed activities. The body of the Saint is buried in the famous basilica of that city. The beautiful symbolism of the cover design, a silhouette from Miss C. Arnold, and an apt choice in prose and verse from the pen of the well-known Tertian Miss Marian Nesbitt, added to a number of tersely-written articles of missionary interest by the Franciscans of the English Province, are sure to delight the lover of literary and religious art.

Chat has had opportunity from time to time to call attention to the lives of children which were extraordinary on account of evidence of unusual spiritual appreciation and the action of Divine Providence. Another instance of this will be found in the life story of Maria of Padua, who was born in 1912 and died in 1927. Much suffering associated with illness, clear perception of spiritual realities, unusual maturity revealed in everyday life and in a number of letters that were preserved, and rather impressive testimony to the spiritual influence of the child on the lives of others, give the story real value in spiritual literature. If any of us hesitate to find such value in a story of this kind, we may well reëxamine our understanding of our Lord's estimate of childhood, and of the standards by which we judge what anything at all is worth. After making allowance for enthusiasm and affection on the part of those associated with Maria, one will find no little spiritual insight in the touching story. (*Maria of Padua,* One of St. Thérèse's Little Legion. Introduction by Benedict Williamson, B. Herder Book Co., St. Louis; pp. 191; 1930.)

The Rev. J. M. Lelen has translated from the French *The Friend of Sinners* by Father A. Galy, S.M. (Benziger Brothers, N. Y.; pp. 274; 1930.) The author selects from the narrative of the Gospel, instances in which our Divine Lord dealt with sinners and displayed the patient resources of the mercy that led to forgiveness. The translation is well done. It would serve as the basis of a series of sermons, particularly if supplemented by a study of the behavior of sinners who had resisted the appeal of Christ and followed their own mistaken and defiant ways.

Father Francis P. LeBuffe, S.J., makes the petitions in the well-known prayer *Anima Christi,* the basis of a series of meditation points in a booklet of thirty pages. The introduction states that this is the first of a series wherein ordinary prayers will be treated in the same way. (*Anima Christi,* The America Press, New York. 1930.)

Dr. James J. Walsh brings together in a volume of 314 pages a number of selections from medieval literature which represent the feelings of the people in that epoch. Each selection is accompanied by a brief sketch which places it in its historical and literary setting. Students of literature are, of course, familiar with them since they

lie in the background of our cultural development. (*A Golden Treasury of Medieval Literature,* The Stratford Company, Boston, 1930.)

Continuing his work of bringing the Gospel into more intimate relation with the daily life of the priest, the Rev. Francis J. Haggeney, S.J., has published a third volume of meditations on the Gospel of St. Matthew for the use of priests and religious. (*The Saviour as Saint Matthew Saw Him,* Vol. III; B. Herder Book Company, St. Louis; pp. 262; 1930.) The personality of Christ is kept in the background as Redeemer and Judge. The standard of excellence of Father Haggeney's work, as noted in our review of Volume II of the series in our issue of August, 1930, is maintained.

Priests are familiar with the solicitude of the Church in controlling the materials associated with the Holy Sacrifice of the Mass and the Sacraments. The dangers that rise from the use of materials which do not satisfy the standards set by the Church are constant on account of the careless spirit of commercialism which prevails universally. Hence the duty of watching carefully lest lamentable mistakes occur which would invalidate the Holy Sacrifice or the Sacraments. In view of this condition one welcomes as a striking innovation a new volume by Rudolf Fattiger. (*Pastoral Chémie;* Herder and Co., Freiburg; pp. 192; 1930.)

The author offers scientific studies concerning the bread and wine used in the Holy Sacrifice of the Mass, the Holy Oils, water, liturgical metals, liturgical textiles and lights. In addition to the standard texts in Dogmatic, Moral and Pastoral Theology, the author has prepared a long bibliography of scientific sources upon which his study rests. A translation into English would be a very great service. Pastoral Chemistry should be more highly developed as a section in Pastoral Theology. It would be impossible to overrate the importance of conscientious attention to the trustworthiness of materials associated with liturgical life. Even though technical knowledge may be beyond the competence of the average priest, it is at no time impossible for him to exercise a degree of watchfulness which will insure obedience to the regulations that govern the Holy Sacrifice of the Mass and the administration of the Sacraments.

A translation into English, of the Life of Venerable Peter Donders, C.SS.R., reminds us again that we are the contemporaries of saints. Father Donders spent forty-four years as a missionary in Surinam, a section of the South American coast which we know as Guiana. It is parcelled out between England, France, and Holland. Surinam is a part of Dutch Guiana. The original Dutch life of Father Donders was published in 1924 by Father Kronenburg, C.SS.R. It was translated into French in 1927. Translations into German, Spanish and Italian are expected shortly. This English translation is based upon the French version.

Father Donders' early missionary labors were with negro plantation slaves whose lives revealed all of the horrors of slavery and exploitation. He volunteered for service among the lepers of Batavia in 1855 where he found negroes, Chinese and Hindoos, all victims of the dreadful scourge. This missionary field was turned over to the Dutch Redemptorists in 1865. In 1866 Father Donders became a Redemptorist. He was transferred from his work among the lepers who claimed that he had become too old to serve them. He himself acted as interpreter when this complaint was brought to his bishop. He died in 1887. Nearly all of the preliminary steps leading to beatification have been completed. (*An Apostle of the Lepers, The Ven. Peter Donders, C.SS.R.,* 1809-1887. Translation by the Rev. John Carr, C.SS.R.; Sands and Co., London; pp. 282; 1930.)

Among the pamphlet publications of the Catholic Truth Society of London recently received, lovers of Cardinal Newman will find three reprints which will give them pleasure—*Christ Upon the Waters, Illuminating Grace, Mary and Her Glories.*

Books Received

La Défense de l'Intelligence. Un peu de bon sens thomiste. Abbé Henry de la Selle, Supérieur des Missionaires diocésains de N.-D. du Chène. P. Téqui, Paris–6e. 1930. Pp. 189. Prix, 9 *fr.* 50 *franco.*

Christmas. The Gift of God. By the Rev. James M. Gillis, C.S.P. Paulist Press, New York. 1930. Pp. 16.

Baptism. By the Rev. Francis J. Connell, C.SS.R., S.T.D. Paulist Press, New York. 1930. Pp. 23. Price, $0.10; 20 copies, $1.00; 100 copies, $3.00; 1,000 copies, $30.00.

The Life of Christ in Woodcuts. By James Reid. Farrar & Rinehart, Inc., On Murray Hill, New-York, N. Y. 1930. Pp. 159.

What about the Modern Boy! Paulist Press, New-York, N. Y. 1930. Pp. 16. Price, $0.05 each—lower in quantities.

Why I Am a Catholic. By John H. Fasy, S.J. America Press, New York. 1930. Pp. 32. Price, $0.05.

Qoubeibeh Emmaus Evangelique. Par le R. P. Prospet–M. Viaud, O.F.M., Franciscain de Terre Saints, auteur des Fouilles de l'Annonciation a Nazareth. Etude Archéologique de son Eglise et de la maison qu'elle enclave. Typographie de Saint-Sauveur, Jerusalem. 1930. Pp. viii—36. Prix, 10 pp.

Manuel d'Études Bibliques. Rédigé conformément aux directives données par S. S. Pie aux professeurs d'Ecriture Sainte. Par Abbé Lusseau, Docteur ès-sciences bibliques, Professeur au Grand Séminaire de Luçon; et Abbé Collomb, Licencié ès-sciences bibliques, professeur au Grand Séminaire de Versailles. *Lettre apostolique* "Quoniam in re biblica" (27 mars 1906). Tome V (Ire Partie): Les Actes des Apôtres; Les grandes Epîtres de saint Paul. P. Téqui, Paris–VIe. 1930. Pp. xiii—615. Prix, 35 *fr.*

Prayer for All Times. Translated by Maud Monahan from *La Prière de Toutes les Heures.* By Pierre Charles, S.J., Professor of Theology in Louvain. Third Series. P. J. Kenedy & Sons, New York. 1930. Pp. 176. Price, $1.95 *postpaid.*

Sistema di Gnoseologia e di Morale. Basi Teoretiche per Esegesi e Critica dei Classici de la Filosofia Moderna. Giuseppe Zamboni. (*Federazione Universitaria Cattolica Italiana* Fondazione Pini I.) Editrice Studium, Piazza S. Agostino 20-A, Roma. 1930. Pp. 202. Prezzo, *L.* 14.

Why I Am and Why I Am Not a Catholic. By Hilaire Belloc and others. Macmillan Co., New York. 1930. Pp. 246. Price, $2.00.

The Idea of God in the Philosophy of St. Augustine. By William Pearson Tolley. Richard R. Smith, Inc., New York City. 1930. Pp. xi—214. Price, $2.00.

Unsere Ideale. Lebenswichtige Kapitel aus der katholischen Ethik. Von Robert Linhardt. B. Herder Book Co., Freiburg im Breisgau, St. Louis and London. 1930. Pp. xii—349. Preis, $1.75 *net.*

Les Principaux Manuscrits de Chant Grégorien, Ambrosien, Mozarabe, Gallican, publiés en Fac-Similes Phototypiques sous la direction de Dom André Mocquereau, Moine de Solesmes. (*Paléographie Musicale.*) Trente-troisième année Avril, Livraison, 137. Desclée & Cie, Tournai; A. Picard & Fils, Paris (VIe). 1930. Pp. 24. Prix de l'abonnement pour 1930, 75 *fr.*, 120 ou 135 *frs.*

CHURCH HISTORY BY NON-CATHOLIC HISTORIANS. By the Rev. John E. Graham. Book I. Norman Publishing Co., Baltimore. 1930. Pp. 387.

AN INDEX OF CATHOLIC BIOGRAPHIES. Compiled by Stephen J. Brown, S.J., Hon. Librarian C. C. L. Central Catholic Library Association, Inc., 18 Hawkins St., Dublin. 1930. Pp. xvi—142. Price, $1.35 *postpaid.*

THE HOGAN SCHISM AND TRUSTEE TROUBLES in St. Mary's Church, Philadelphia, 1820-1829. By Francis E. Tourscher, O.S.A., Member of American Catholic Historical Society. Peter Reilly Co., Philadelphia. 1930. Pp. xxii—234.

IL PAPATO, L'EUROPA CRISTIANA E I TARTARI. Un Secolo di Penetrazione Occidentale in Asia. Par Giovanni Soranzo, Professore di storia medioevale e moderna. (*Pubblicazione della Università Cattolica del Sacro Cuore.* Serie quinta: Scienze Storiche, Vol. XII.) Società Editrice "Vita e Pensiero", Milano. 1930. Pp. xii—635. Prezzo, 50 *L.*

LE BON CARDINAL RICHARD, d'après les Souvenirs et Papiers de Famille. Par Yvonne de la Vergne, Petite-Nièce du Cardinal. Pierre Téqui, Paris–6e. 1930. Pp. 253. Prix, 14 *fr. franco.*

IMPRESSIONS OF A PILGRIM. By A. J. Francis Stanton, author of *Catholic Mysticism.* P. J. Kenedy & Sons, New York. 1930. Pp. v—306. Price, $2.75 *postpaid.*

AUX SOURCES DE LA SPIRITUALITÉ DE SAINT MAXIME. Les Œuvres d'Evagre le Pontique. Par M. Viller, S.J. Extrait de la *Revue d'Ascétique et de Mystique,* Toulouse, Avril-Juillet 1930, Tome XI. Pp. 65.

A NOVENA TO THE MARTYR SAINTS OF NORTH AMERICA. By Edward F. Garesché, S.J. (*Mission Series,* No. 7.) Jesuit Mission Press, New York. 1930. Pp. 30. Price, $0.10; 50 copies, $4.00; $7.00 a hundred.

SIXTH READER. By Sister Mary Henry, O.P.; Sister Mary Magdalen, O.P.; and Sister Mary Anysia, O.P., Sinsinawa, Wisconsin. (*The Rosary Readers.*) Ginn & Co., Boston, New York, Chicago, London, Atlanta, Dallas, Columbus, San Francisco. 1930. Pp. vii—436. Price, $0.88.